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**IN THE UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF PENNSYLVANIA**

SAMMI D. WRIGHT

Plaintiff

vs.

**BEULAH HADRICK ET AL.
CHARLEEN SZABO, SCOTT
SHREVE AND RAY KENT
Defendants**

CIVIL ACTION LAW

1:CV-00-1657

(JUDGE CONNER)

FILED
HARRISBURG, PA.
OCT 21 2002
918

PLAINTIFF'S COUNTERSTATEMENT OF MATERIAL FACTS

- 1.) Admitted.
- 2.) Admitted.
- 3.) Admitted in part. Defendants leave the inference hanging that plaintiff somehow did something to deserve the docking of her pay. That inference is denied and was successfully rebutted by plaintiff as a matter of undisputed fact. See attached hereto Exhibit “A” and “B, B1, B-2, B-3” to plaintiffs Brief in Opposition which are letters from Veteran Care homes that Wright was accused of not visiting.
- 4.) Admitted in part. By way of further response plaintiff originally wrote to Senator Arlen Specter on April 8, 2000 (See Exhibit “C”

hereto to Brief in Opposition). She wrote again after Ms. Szabo responded to Senator Specter's inquiry about MS. Wright's first letter (See Ms. Szabo's letter to Arlen Specter on April 25, 2000 attached as Exhibit "D" to the Brief in Opposition). Angered by Ms. Szabo's inaccurate response to the Senator, Ms. Wright wrote the Senator yet another letter after her pay was restored and she learned of Ms. Szabo's response. It is attached (all of plaintiff's exhibits are attached as exhibits to the brief in opposition and will simply be referred to as "plaintiff's exhibits") hereto as plaintiff's Exhibit "E". Sammi Wright also wrote to the ACLU. See plaintiff's Exhibit "F".

5.) It is admitted that plaintiff's docked pay was restored.

6.) Denied. See plaintiff's Exhibit "G" which is a copy of plaintiff Wright's complete deposition. See Wright Dep N.T. pg 97 lns 1-18, and see N.T. pg 96 lns 3-15. Defendants know that their representation in this paragraph is not accurate and/or correct. Plaintiff did complain of different reporting and other requirements and didn't limit it to race.

7.) Denied. See Wright Deposition N.T. pg 96.

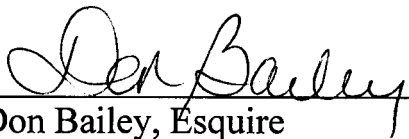
8.) Denied. Plaintiff alleges she was mistreated (retaliated against) because she complained about matters of public concern and because of her race (which the court has already dismissed as a cause). See Wright Deposition N.T. pgs 80-86.

9.) Denied. It is undisputed that plaintiff's improperly withheld pay was restored, not just for procedural, but for substantive abuses by the defendants. Later plaintiff was reinstated, and her pay restored, after being suspended from January 2001 to September 2001, because of the retaliation she suffered. It is undisputed that the defendants' misconduct led to a settlement with the VA for which, by agreement, plaintiff is entitled to seek damages in this action. See Exhibit "B" to "Defendants' Exhibits in Support of their Brief in Support of Summary Judgment" (see in particular paragraph 5).

10.) Denied. See Exhibit "G", Wright Deposition N.T. pgs 82-84. See Defendants Exhibit "B", a copy of the settlement agreement with the VA. This agreement speaks for itself. While it makes no admission, and is not res judicata in any way as to this action it factually cannot be ignored (it contains no confidentiality clause as per plaintiffs request and is fully available in this matter as hard evidence of the defendants' misconduct).

11.) It is admitted that plaintiff emotionally responded to opposing counsel's questions and indicated she was suspended because of her race particularly at the hands of the defendant Hadrick who is also black. However, plaintiff at no time, ever, indicated that the retaliation she suffered was based entirely on her race. She does believe the ball got rolling towards mistreating her because of her race, but never indicated that race was a sole reason. Plaintiff continues to believe that the initial primary reason to mistreat her was race and that race continued to motivate the defendants (particularly Hadrick). This in no way contradicts the compelling evidence that defendants attempted to get even with plaintiff for writing Senator Specter, writing the ACLU, writing VA Inspector General Biro, and filing her EEO and EEOC complaints. The settlement agreement vindicates plaintiff. Are defendants now admitting it was for race?

Respectfully Submitted,

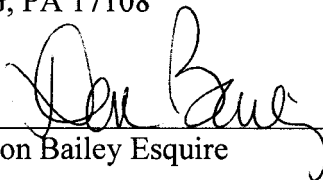

Don Bailey, Esquire
4311 N. 6th Street
Harrisburg, Pa 17110
(717) 221-9500

October 21, 2002

CERTIFICATE OF SERVICE

I, Don Bailey do hereby certify that on this **21ST OCTOBER 2002** I served a true and correct copy of ***PLAINTIFF'S BRIEF IN OPPOSITION TO DEFENDANTS MOTION FOR SUMMARY JUDGMENT AND PLAINTIFF'S CONCISE STATEMENT OF MATERAL FACTS*** upon the attorneys below by First class-postage prepaid mail :

MARY CATHERINE FRYE ESQUIRE
ASSISTANT U.S. ATTORNEY
228 WALNUT STREET
HARRISBURG, PA 17108



Don Bailey Esquire

F.Y.I.

Akron Haven

Personal Care Boarding Home

1150 MAIN STREET • AKRON, PA 17501

(717) 859-4141

April 21, 2002

RE: Sammy Wright; conference (1) Brett Glaser
(2) Joe Tesko (3) Billy J. Pearson

To whom it may concern,

This is to verify that I had an in depth conference with Sammy Wright, VA Soc. Concerning Brett Glaser, Joe Tesko and Billy J. Pearson on 3/21/2002. Sammys concern and thoroughness is a breath of sunshine and appreciated. By me and the Veterans she represents. Best Regards and job well done to Mrs. Sammy Wright...

Sincerely, Perry L. Neidigh / D.W. / adw

RES: 859-4040

Exhibit "A"

Akron Haven

Personal Care Boarding Home

1150 MAIN STREET • AKRON, PA 17501

(717) 859-4141

Bearlah

April 24 2000

I'm writing this note to let you know Sammie Wright was here today. Now that we know to keep track of her, we will.

Brett Glasco's parents talked to her also. Bob Martin, David Miller, Myrtle Lausch did to.

Barb Ditzler

Exhibit "B"

April 7, 2000

Lebanon VAMC Staff:

This note is to confirm that Sammi Wright VA Social Worker visited the veterans at Akran Haven PCH on 3-21-00 . Pleasem call if you require verbal confirmation.

Barbara Ditzler, Manager

717-859-4141

Barb Ditzler

Exhibit "B"-1

April 7, 2000

Lebanon VAMC Staff:

This note is to confirm that Sammi Wright VA social worker visited the veterans at Reems PCH on 3-21-00. Telephone 717-367-1831.

Stephanie Hershal,

A handwritten signature in cursive script, appearing to read "Stephanie Hershal".

Exhibit "B"-2

11 April 2000

As a Federal employee I am entitled to fair and considerate treatment. Beulah Hadrich wrongfully and willfully had 8 hours of pay deducted from my earnings on 21 March 2000.

Enclosed is a copy of statements to verify my working on 21 March 2000.

I trust you will see that this error and great injustice be corrected. I further expect that Beulah be reprimanded for her behavior.

Sammi D. Wright

Sammi D. Wright, ACSW

Exhibit B-3

2248 West Hamilton Street
Apartment 208
Allentown Pennsylvania
April 8, 2000

Senator Arlen Specter
442 West Hamilton Street
Post Office Building
Allentown Pennsylvania 18101

EXHIBIT

Def 13 2

Dear Sir:

I would like to know why Mental Health Services to veterans are being cut. As a social worker at the Lebanon VAMC, I have seen management's changes to programs and staff, decrease the efficiency in meeting veteran's needs.

These changes have increased the work load, but decreased staff, and greatly limited the accessibility of staff and services to veterans. Recent changes in this past month were restrictions placed on the availability, and use of government vehicles. This has limited the number of veterans seen and increased travel time.

On March 21, I used my own car to make home visits. Management was aware of this plan. I have attached letters from the homes visited.

I received a letter on 4/6/00 charging me with AWOL, yet eight hours of pay had already been taken from my pay before receiving the letter. The letter states further action of proposed suspension of 15 days without pay. I have until 4/21/00 to respond to these allegations.

Enclosed is a list of the charges I received on 4/6/00. I

Exhibit "C"

trust that you will look into my concerns and issues regarding management's policies and erroneous decisions.

Sincerely

Sammi D. Wright ACSW
(610) 751-2170



DEPARTMENT OF VETERANS AFFAIRS
Medical Center
1700 South Lincoln Avenue
Lebanon, PA 17042

April 25, 2000

In Reply Refer To: 595/N121

The Honorable Arlen Specter
United States Senator
9400 Federal Building
600 Arch Street
Philadelphia, PA 19106

Dear Senator Specter:

Ms. Sammie Wright is employed at this medical center as a Social Worker in our Community Nursing Home Care Program. On March 21, 2000, she was assigned to visit private nursing facilities to review the VA patients at these facilities. Due to her failure to follow her supervisor's instructions, her activities during that day were in question and resulted in a proposed disciplinary action.

The procedures for that disciplinary action included the opportunity for an employee response. Ms. Wright has responded to the proposed disciplinary action with documentation to support her actions on March 21, 2000, that she had not previously shared with her supervisor.

When the additional information is reviewed, an appropriate response will be issued to resolve this issue.

Sincerely yours,

CHARLEEN R. SZABO, FACHE
Chief Executive Officer

Enclosure:
Constituent's Inquiry

cc:

Chief Executive Officer (N00)



Exhibit "D"

RAKENT:plm 04/25/00 N121 N100 N00

File Copy

ARLEN SPECTER
PENNSYLVANIA

COMMITTEES:
JUDICIARY
APPROPRIATIONS
VETERANS' AFFAIRS
GOVERNMENTAL AFFAIRS

☐ 711 HART SENATE BUILDING
WASHINGTON, DC 20510-3802
202-224-4254

United States Senate

WASHINGTON, DC 20510-3802

June 1, 2000

STATE OFFICES:

- ☐ 600 ARCH STREET, SUITE 9400
PHILADELPHIA, PA 19106
215-597-7200
- ☐ SUITE 2031, FEDERAL BUILDING
PITTSBURGH, PA 15222
412-644-3400
- ☐ ROOM 107, FEDERAL BUILDING
ERIE, PA 16501
814-453-3010
- ☐ ROOM 1104, FEDERAL BUILDING
HARRISBURG, PA 17101
717-782-3951
- ☐ ROOM 102, POST OFFICE BUILDING
ALLENTOWN, PA 18101
610-434-1444
- ☐ 310 SPRUCE STREET, SUITE 201
SCRANTON, PA 18503
570-346-2006
- ☐ ROOM 306, 116 S. MAIN STREET
WILKES-BARRE, PA 18701
717-826-6265

Mrs. Sammi Wright
2248 West Hamilton Street, Apt. # 208
Allentown, PA 18104

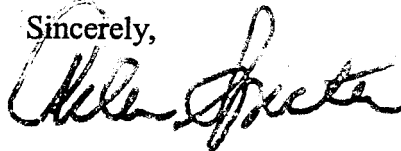
Dear Mrs. Sammi Wright:

Enclosed please find the reply from the Department of Veterans Affairs in response to my inquiry on your behalf.

I appreciate the opportunity to be of assistance to you and hope that the information contained in this report is helpful.

Please feel free to contact me again if I can be of any further assistance.

Sincerely,



Arlen Specter

AS/mc
Enclosure

Exhibit "D"-1

2248 West Hamilton Street
Apartment 208
Allentown, PA 18104

The Honorable Arlen Specter
Post Office Building
Allentown , Pennsylvania 18101

Dear Senator Specter:

It is with some sadness I must inform you that the response provided by Ms. Szabo included many inaccurate and untrue statements. Her response demonstrates the multiplicity and layers of problems which I am grappled.

The first point is the Lebanon Department Of Veterans Affairs Medical Center has a proud history of operating one of the largest and most effective Community Residential Care Program in the entire VA system. The description of my assignment as being to visit private nursing facilities is baffling to me, as I have worked with the community residential care program for over three years and not the nursing home. Ms. Szabo and this medical center made a decision within the last several months to move the Community Residential Program from Mental Health and Behavioral Science and placed it under the Extended Care Program, where it has clearly been unwelcomed, unappreciated and unsupported. As you may know from your position of oversight in the U.S. Senate Committee on Veterans Affairs, helping veterans readjust to community living is an extremely important part of serving veterans who have been hospitalized.

It is alleged in point number two that I did not follow my supervisors' instruction is untrue. The reality of the situation is that a pattern of harassment and unprofessional discourtesy has been in place from the February 22, 2000 date the program was put in Extended Care.

Ms. Szabo states on 3-21-00 my activities were in question. Apparently Ms. Szabo did not remember my pay was taken from me without any due process, or concern for long established civil service procedures. The proposed action was never proposed but simply done.

Since my letter to you my pay has been restored, but again, there has been no acknowledgement of the wrong that was done to me or reprimand for those individuals who violated my rights.

In the second paragraph Ms. Szabo suggested I had responded to proposed action with documentation. As you can readily understand this amounts to supervision in reverse. If an employee is constantly required to disprove a negative, then the burden of proof is on the employee. Please keep in mind that this response to the "proposed" action took place after I was already declared guilty and docked eight hours of pay and leave time.

Exhibit "E"

The final irony of Ms. Szabo's response to you is she feels additional information is needed to be reviewd so that "an appropriate" response is issued to resolve this issue. I would hope there is some mechanism by which Ms. Szabo would be asked to provide your office with an explanation of taking an employee's money without due process. I would also like to know if Ms. Szabo reprimanded the managers responsible for the violation of my rights. She is apparently not willing to give me an explanation nor an apology.

I am again grateful for your investigation of this problem.

Sincerely,

Sammi D.Wright,ACSW

2248 West Hamilton Street
Apartment 208
Allentown, Pennsylvania
June 21, 2000

South Central Pennsylvania Chapter
American Civil Liberties Union
P.O.Box 11761
Harrisburg, Pennsylvania 17108-1761

Dear Sir:

I have enclosed a completed application for American Civil Liberties' services. There are also copies of the alleged AWOL, and a later requested investigation of the already enforced charges.

The documents to disprove the allegations includes , letters from sponsors and a copy of my telephone log for that date.

Thank you for your investigation in this matter.

Sincerely ,

Sammi D. Wright
(Sammi D. Wright, ACSW)

Exhibit "F"

**IN THE UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF PENNSYLVANIA**

SAMMI D. WRIGHT

Plaintiff

VS.

BEULAH HADRICK

CHARLEEN SAZBO

SCOTT SHREVE AND

RAY KENT

Defendants

NO. 1:CV-00-1657

(JUDGE RAMBO)

JURY TRIAL DEMANDED

ORIGINAL

DATE:

JULY 9, 2002

PROCEEDING:

**VIDEO DEPOSITION
SAMMI D. WRIGHT**

APPEARANCES:

For the Plaintiffs

**DON BAILEY, ESQUIRE
4311 N. 6TH STREET
HARRISBURG, PA 17110**

For the Defendants:

**MARY CATHERINE FRYE
ASSISTANT U.S. ATTORNEY
228 WALNUT STREET
HARRISBURG, PA 17110**

Exhibit "G"

SHEET 1 PAGE 1

1 Court Reporter: I have been
 2 contracted by P.R. Video to be the
 3 video operator for this deposition.
 4 The case in the United States
 5 District Court of the Middle
 6 District of Pennsylvania. It is
 7 titled Sammi D. Wright, Plaintiff
 8 versus Beulah Hadrick, Charleen
 9 Sazbo, Scott Shreve and Ray Kent, et
 10 al. It is number 1:CV-00-1657.
 11 Today's date is July 9, 2002, it is
 12 1:19 p.m. and stenographer swear in.

13 BAILEY: My name is Don Bailey, I
 14 am an attorney in this case. I
 15 represent the Plaintiff, Sammi D.
 16 Wright. My address is 4311 North
 17 Sixth Street, Harrisburg,
 18 Pennsylvania 17110. My phone is
 19 (717) 221-9500.

20 FRYE: Mary Catherine Frye,
 21 Assistant U.S. Attorney representing
 22 the Defendants. My address is 228
 23 Walnut Street, Harrisburg,
 24 Pennsylvania. My phone is (717) 221-
 25 4482.

PAGE 2

1 COURT REPORTER: Do you swear
 2 the testimony you are about to give
 3 be the truth the whole truth and
 4 nothing but the truth?

5 KENT: I do.

6 FRYE: Ms. Wright, I believe you
 7 heard earlier your counsel and I
 8 discuss the usual stipulations,
 9 which really basically means that we
 10 waive all objections exceptus to the
 11 form of a question until trial and
 12 right now I am going to address my
 13 remarks to Mr. Bailey. The usual
 14 stipulations okay with you?

15 BAILEY: Sure.
 16 Cross examination of Attorney Frye:
 17 Q: Okay. Ms. Wright, I am the
 18 attorney for the four defendants I
 19 this case and I speak quickly, I
 20 know, so if you have difficulty
 21 understanding, please stop me and
 22 ask me to repeat myself. I will ask
 23 you questions, which I will try to
 24 make as specific as I can so that
 25 they are understandable, but if at

PAGE 3

1 any time your don't understand or
 2 you think that the question can't be
 3 answered the way I have phrased it.
 4 You are free to tell me so and I
 5 will try to rephrase it. If your
 6 attorney, Mr. Bailey, objects, we
 7 will work it out and then you will
 8 either be instructed to answer or
 9 not to answer by Mr. Bailey. And I
 10 would ask that you not guess at the
 11 answers to any questions, but that
 12 you rely on your knowledge of the
 13 facts what you personally know to
 14 answer the questions that I am going
 15 to ask. Do you have any questions?
 16 A: Not at this time.
 17 Q: Okay and also you have to
 18 speak kind of loudly because the
 19 court reporter has to hear you.
 20 A: Not at this point.
 21 Q: Thank you. Could you please
 22 state your full name for the record.
 23 A: Sammi D. Wright.
 24 Q: What is your occupation?
 25 A: I am a social worker.

PAGE 4

1 Q: And who is your employer?
 2 A: The Department of Veteran's
 3 Affairs.
 4 Q: And where are you currently
 5 employed?
 6 A: Lebanon, Pennsylvania.
 7 Q: What facility? At the
 8 Lebanon V.A. Hospital?
 9 A: Yes.
 10 Q: How long have you worked
 11 there?
 12 A: I started there in June of
 13 1995.
 14 Q: And where did you work before
 15 that?
 16 A: Brooklyn V.A.
 17 Q: How long have you been
 18 employed by the V.A.?
 19 A: Just about 20 years.
 20 Q: And have you been a social
 21 worker all that time?
 22 A: Yes, I have. Well, actually
 23 I have been a social worker longer
 24 than that.
 25 Q: What did you do before you

SHEET 2 PAGE 5

1 worked for the V.A.?

2 **A:** I worked for the State of New

3 **York.** I also worked for the Federal

4 **Government in Europe.**

5 **Q:** Currently, what hours to you

6 work?

7 **A:** 7:30 to 4:00.

8 **Q:** And is that five days a week?

9 **A:** Correct.

10 **Q:** Could you just describe

11 briefly what it is exactly that you

12 do for the veteran's center at the

13 present?

14 **A:** Presently?

15 **Q:** Yes?

16 **A:** I work on acute psychiatry

17 ward. I make psycho social

18 assessments. I see veterans with

19 very social issues and assist with

20 discharge plannings. I attend

21 meetings and whatever else needs to

22 be done related to social work.

23 **BAILEY:** Could you stop for a

24 second? Cathy could you give me a

25 couple pieces of paper. And I am

PAGE 6

1 going to put a note in front of you,

2 Sammi, to remember every once in a

3 while to keep you voice up okay?

4 I'm just going to put it in front of

5 you and you can look down at it.

6 Thank you.

7 **Q:** Mrs. Wright, who is currently

8 your supervisor? Your first level

9 supervisor?

10 **A:** Mark Bachert.

11 **Q:** Could you spell it please?

12 **A:** I think it is B.a.c.h.e.r.t.

13 **Q:** What is his title?

14 **A:** He's a nurse coordinator.

15 **Q:** I'm sorry he's a?

16 **A:** Nurse Coordinator.

17 **Q:** I'm going to, if it's okay

18 with your counsel; I would like to

19 give her a copy of the Complaint for

20 reference?

21 **BAILEY:** Okay done.

22 **Q:** Mrs. Wright, have you seen

23 this Complaint before?

24 **A:** Yes. I have seen it before.

25 **Q:** Okay. And you are the

PAGE 7

1 Plaintiff in this Complaint?

2 **A:** Yes.

3 **Q:** I would like to ask you some

4 questions regarding the incidents

5 which form the basis of this

6 Complaint and I am trying to put you

7 in a time frame here. Although

8 there are not a lot of dates in the

9 Complaint, I am going to try to take

10 you back to 1997 and see if I can

11 kind of walk you through your

12 history at the V.A. from that time.

13 So, if you think back to 1997, what

14 was your position with the V.A. at

15 that time?

16 **A:** 1997. I'm clear exactly, but

17 I was a social worker.

18 **Q:** Do you recall in what year

19 Beulah Hadrick became your

20 supervisor?

21 **A:** That was in February 2000.

22 **Q:** Now, prior to February 2000,

23 who was your supervisor?

24 **A:** Well, part of the time it was

25 Alan Burgess and also there was

PAGE 8

1 **Genie Lancey for a brief period.**

2 **And.**

3 **Q:** I'm sorry.

4 **A:** And Donna Curran.

5 **Q:** Curran?

6 **A:** C.u.r.r.a.n. I think it is?

7 **BAILEY:** I'm sorry, C.u.r.r.a.n.?

8 **A:** Yes.

9 **Q:** I'm sorry; did you say Ellen

10 or Alan Burgess?

11 **A:** Alan Burgess.

12 **Q:** And what was his title?

13 **A:** Supervisor.

14 **Q:** Who did he supervise other

15 than you?

16 **A:** He had about three or four

17 other social workers.

18 **Q:** And at the time he was

19 supervised by Alan Burgess, what

20 functions did you perform for the

21 V.A.?

22 **A:** I was doing community - here.

23 **Q:** Could you describe what that

24 means?

25 **A:** It meant going out to the

SHEET 3 PAGE 9

1 homes. Visiting with the veterans.
 2 Making an assessment about how they
 3 are adjusting in the home.
 4 Discussing with the personal care
 5 home sponsors any issues that needed
 6 to be addressed. A lot of times
 7 dealing with crisis interventions.
 8 Assisting with appointment.
 9 Conferring with the doctors on
 10 issues that needed to be addressed.
 11 Q: Now when you were supervised
 12 by Genie Lancey, was your job the
 13 same?
 14 A: Actually no. I was doing
 15 both homeless and residential care
 16 at the time.
 17 Q: This was under Lancey?
 18 A: Correct.
 19 Q: So can you describe what
 20 additional duties you performed at
 21 that time?
 22 A: We were also working with the
 23 homeless program. We were going out
 24 and finding veterans who were
 25 homeless and trying to provide them

PAGE 10

1 with a connecting with V.A. services
 2 in addition to visiting Personal
 3 Care Homes.
 4 Q: And during the period you
 5 were supervised by both Burgess and
 6 Lancey, about how many of the homes
 7 would you be responsible for
 8 visiting?
 9 A: Well, we had a policy it was
 10 based upon. We were assigned homes.
 11 When we had like four social workers
 12 we had like maybe seven, eight
 13 homes, I guess.
 14 Q: You also mentioned a Donna
 15 Paran. Were you?
 16 A: That was not under the
 17 residential care or the homeless
 18 program.
 19 Q: Okay, what did you do when
 20 you were supervised by her?
 21 A: I think at the time I worked
 22 in patient substance abuse.
 23 Q: Okay. About how long ago was
 24 that?
 25 A: Oh, about maybe four years.

PAGE 11

1 Four or five years.
 2 Q: Now when you were supervised
 3 by Alan Burgess, who was your second
 4 level supervisor then?
 5 A: That would have been Mr. um.
 6 the director.
 7 Q: The Director of the V.A.?
 8 A: No. We were in. The
 9 department. The social worker's
 10 department.
 11 Q: So it would have been the
 12 director of department?
 13 A: Um hum.
 14 Q: Okay. And when you were
 15 supervised by Genie Lancey was it
 16 the same?
 17 A: Yes, it would have been the -
 18 social work.
 19 Q: Now in your Complaint you
 20 claim that your first amendment
 21 right to freedom of speech was
 22 violated. Can you tell me what Ray
 23 Kent did to violate your first
 24 amendment right?
 25 A: What Ray Kent did to violate

PAGE 12

1 my rights?
 2 Q: Let me take you to a
 3 specific. Okay, if you look at page
 4 five and you look at paragraphs
 5 twenty nine and thirty. You allege
 6 Plaintiff also believes and avers
 7 that the harassment she was and is
 8 receiving was exacerbated unlawfully
 9 in violation of her fourteenth
 10 amendment rights because she sent
 11 information to Arlen Specter.
 12 Paragraph thirty. The defendants
 13 have violated her rights to be free
 14 of unlawful interference with her
 15 right to contract and of her rights
 16 to free speech. Okay, so what I am
 17 asking you is, with specific
 18 reference to those paragraphs; how
 19 did Ray Kent violate your right to
 20 free speech? What did he do that
 21 you are complaining about?
 22 A: What happened was, I wrote a
 23 letter to Senator Specter after my
 24 pay was stopped and I did not learn
 25 of it for like two weeks later. At

SHEET 4 PAGE 13

1 that point that's when I contacted
2 Arlen Spector.

3 Q: And in what day.?

4 A: And I related concerns I had
5 regarding the services and veterans
6 and also the fact that I had been
7 docked from my pay.

8 BAILEY: I don't think she is
9 done. The question was what he did
10 to her.

11 Q: I know and I'm going to ask
12 it again.

13 BAILEY: Okay let her respond.
14 Okay, never mind.

15 Q: Are you done?

16 A: No, I wasn't done.

17 Q: Okay go ahead then.

18 A: As I said my pay was docked.
19 Eight hours the pay was docked from
20 me and I didn't learn of it for like
21 two weeks later that it had been
22 done. And at that point that was
23 when I got the documents together to
24 verify that I was at work on that
25 date. That I was alleged to have

PAGE 14

1 been a-wall. I wrote two letters
2 actually to Arlen Spector. The
3 first letter was pertaining to the
4 services and how I felt the
5 services, the veteran services were
6 being; veterans were not receiving
7 the services they were entitled to
8 because of the various changes that
9 had taken place at the V.A. And I
10 also stated in it because of that,
11 my role had changed in terms of the
12 services I provided to veterans.
13 And I also related to him the fact
14 that I had been docked without any
15 type of investigation of eight hours
16 of my pay.

17 Q: And your testimony is that
18 you wrote two separate letters?

19 A: Yes, that was a response to a
20 letter that was written to him
21 regarding my initial letter.

22 Q: What was the date of your
23 first letter?

24 A: Um, I have the documents, but
25 I can't recall the exact date, but

PAGE 15

1 it was shortly after the March 21st
2 date. It was like two weeks after
3 that or whatever that I learned that
4 my pay had been docked. So, it was
5 within the next few weeks.

6 Q: How did Ray Kent violate your
7 rights based upon those letters to
8 Senator Spector?

9 A: I went to Ray Kent on several
10 occasions early within weeks of
11 being assigned to that unit and I
12 expressed my concern with the way I
13 being treated and the fact that I
14 did not feel that I could work in
15 that environment and I asked him
16 about being transferred to another
17 unit.

18 Q: Anything else?

19 A: Well, I shared with him a lot
20 of the things that were not; the
21 conditions that were very unpleasant
22 for me and how I was being treated.
23 And I even sent e-mail message to
24 him; forwarded messages to him
25 regarding various messages I have

PAGE 16

1 received on a daily basis from the
2 managers while I was in that unit.

3 Q: And did Ray Kent take any
4 action against you?

5 A: Any action?

6 Q: Correct. Any employment
7 related action against you?

8 A: He listened and he really
9 didn't really advise or give me any
10 kind of directions. After several
11 visits he just finally told me that
12 they didn't want you in the unit and
13 I would have to fight it out myself.
14 Oh and to go along with him. Or
15 something to that effect.

16 Q: How did Scott Shreve violate
17 your first amendment rights?

18 A: When I first came over
19 assigned to that unit. We were
20 assigned the big room, which was the
21 storage room, I guess. And it was a
22 door with a window on it. A small
23 window, which did not allow for very
24 much privacy. There were other
25 offices that had windows and they

SHEET 5 PAGE 17

1 had posters over those windows for
 2 privacy and the doors were also
 3 closed most of the time. On one day
 4 I had asked about putting something
 5 over the door and it was approved.
 6 One day Scott Shreve came into my
 7 office, stood over me as I was on
 8 the computer and told me that I was
 9 to take the poster off the door and
 10 I was supposed to leave the door
 11 open at all times.
 12 Q: And when did that happen?
 13 A: This was shortly after I was
 14 assigned to this unit.
 15 Q: So this would be shortly
 16 after February of 2000?
 17 A: Oh yes.
 18 Q: Was this before you wrote the
 19 letter to Senator Spector?
 20 A: I made another complaint
 21 after this happened with him.
 22 Q: I'm sorry?
 23 A: I made an EEO complaint.
 24 Q: But my question is did the
 25 incident in which Dr. Shreve told

PAGE 18

1 you to take the poster off the
 2 window, did this happen before?
 3 A: I can't recall the exact time
 4 period, but it was within that
 5 period of time somewhere.
 6 Q: But do you recall whether it
 7 was before?
 8 A: I can't recall the exact
 9 date.
 10 Q: I know you can't recall the
 11 exact date. What I am asking is was
 12 it some time after February of 2000,
 13 but was it before you wrote the
 14 letter to Senator Spector?
 15 A: I can't remember.
 16 Q: And you filed an EEO
 17 Complaint based upon this incident?
 18 A: That was the first incident;
 19 no that was one of the incidents.
 20 Q: Okay so?
 21 A: That was the dock of pay for
 22 eight hours. There was a letter of
 23 reprimand.
 24 Q: How many EEO complaints did
 25 you file?

PAGE 19

1 A: Each time there was a
 2 different incident, I was advised to
 3 file an EEO complaint.
 4 Q: Do you recall how many you
 5 filed?
 6 A: There was one for the um; no
 7 I don't recall?
 8 Q: Did Dr. Shreve do anything
 9 else that violated your right to
 10 freedom of speech?
 11 A: When I asked to meet with
 12 him, this was earlier; I asked to
 13 meet with him and we thought
 14 regarding my concerns in terms of
 15 the program and in terms of the way
 16 I was being treated.
 17 Q: And what did he do in at that
 18 time which you consider to be a
 19 violation of your first amendment
 20 rights?
 21 A: He didn't do anything, he
 22 just refused me.
 23 Q: Anything else that Dr. Shreve
 24 said?
 25 A: He made life very

PAGE 20

1 uncomfortable for me.
 2 Q: How did he do that?
 3 A: By the things he said. The
 4 way he; his mannerisms around me.
 5 Q: Can you remember some
 6 examples of the things that he said?
 7 A: I can't recall specifically
 8 other than that meeting in my
 9 office.
 10 Q: This is the one in which he
 11 refused to meet with you?
 12 A: No that was a different time.
 13 Q: So, what you are referring to
 14 is when he told you to take the
 15 poster down?
 16 A: He told me to take the poster
 17 down and he told me to keep my door
 18 unlocked and open at all times.
 19 Q: What did Charleen Sazbo do
 20 that you believed violated your
 21 first amendment rights?
 22 A: When I wrote my letter to;
 23 well, earlier when all of this was
 24 going on, I mean I was receiving
 25 daily messages in the computer from

SHEET 6 PAGE 21

1 Beulah Hadrick and -- -- and I asked
2 to meet with Sazbo earlier and she
3 did not want to meet with me.

4 Q: Do you recall approximately
5 when that happened?

6 A: I would say within two to
7 three months of being in that unit.
8 You asked another question which I
9 didn't respond to.

10 Q: Okay.

11 A: Now, I can't remember what it
12 was you were asking about the
13 violation of. Oh, in my letter
14 to Mr. Spector, Arlen Spector,
15 Senator Spector; she responded
16 back to him. Her response was
17 not accurate. Because I was not
18 assigned to nursing home, but
19 she said I was. I was always in
20 the residential care program.
21 And she stated that I was
22 talking about the good of the
23 service or whatever, but for
24 over twenty years I had provided
25 services as a social worker and

PAGE 22

1 there was never a problem with
2 my job performance. It was
3 always my -- --Q: I would like
4 to show Mr. Bailey a letter here
5 and see if we can make this
6 included.

7 A: This is the letter that I was
8 not assigned to community nursing
9 home.

10 Q: Okay. First of all, have you
11 seen this letter before?

12 A: Yes, I have a copy of that.

13 Q: And what is the date on this
14 letter?

15 A: The date is April the 21st.

16 Q: We will be marking this as
17 Defendant's Exhibit 1. And I will
18 make copies afterwards. Who was
19 this letter to and who is it from?

20 A: It says Dear Senator Spector
21 from Charleen Sazbo.

22 Q: Okay, now what in that letter
23 do you feel violated your rights?

24 Could you read the portion that you?

25 A: She says on March the 24,

PAGE 23

1 2000, she was replied. "On March
2 21, 2000, she was assigned to visit
3 private nursing facilities to review
4 the V.A. patients at the facilities.
5 Due to her failure to follow her
6 supervisor's instruction, activities
7 on that day were in - result in a
8 proposed disciplinary action."
9 Well, first of all let me say it was
10 not community nursing home, it was
11 personal care home.

12 Q: Anything else?

13 A: Then she says I had responded
14 to the proposed disciplinary action
15 with documentation to support our
16 action. That had not been
17 previously shared. It was not
18 previously shared because I wasn't
19 asked and I wasn't aware of it until
20 after the action had already been
21 taken.

22 Q: Is there anything else in
23 that letter from Ms. Sazbo that you
24 believe violates your rights?

25 BAILEY: I want to object to the

PAGE 24

1 form of these questions. The
2 individual fact questions followed
3 up with violate your rights.

4 Q: May I have that letter so
5 that I can give it to him.

6 BAILEY: What's the date on that
7 Cathy? Do you have a copy of that
8 for me?

9 FRYE: I will get you a copy.
10 April 25, 2000.

11 BAILEY: Okay.

12 Q: What do you believe that
13 Beulah Hadrick did which violated
14 your first amendment rights?

15 A: There were a number of things
16 that I felt were in violation of my
17 rights. From my coming into the
18 unit, I felt I was in very
19 stressful, a very unpleasant
20 environment where I was on a daily
21 scrutiny. I was treated
22 differently. There were other
23 employees who were spying on me.
24 When I responded to computer
25 messages there were other messages.

SHEET 7 PAGE 25

1 My messages were forwarded to other
 2 people. I was told that was not
 3 suppose to use the government car,
 4 but one of the other social workers
 5 told me that he was still using his
 6 car and it was until after I brought
 7 this to the point of the supervisors
 8 that they spoke with him about it,
 9 but at this time I had already been
 10 reprimanded. I was told that I was
 11 supposed to make visits when other
 12 social workers were not making their
 13 monthly visits as they say.

14 Q: Let me ask you some more
 15 specific questions regarding your
 16 answer. What specifically did Ms.
 17 Hadrick do that caused your work I
 18 environment to be stressful?

19 A: There was a constant. The
 20 daily. There was a daily scrutiny
 21 on my messages in the computer. It
 22 was called the operators about
 23 whether or not I had told them of
 24 activities for the day. I had to
 25 put messages in the computer to

PAGE 26

1 seven or eight different people.
 2 There was the calls to the
 3 transportation people to find out
 4 what time I pick the car up. What
 5 time did I come back with the car.
 6 There were calls to my personal care
 7 home. On two separate occasions I
 8 received a call when I was in the
 9 home and I was told; I mean I had
 10 not been in the home a good 30
 11 minutes and I was told to get back
 12 to the V.A. they wanted to have a
 13 meeting with me and if I didn't come
 14 back, I would be charged with a-
 15 wall. I had personal care home
 16 sponsors, who told me that they felt
 17 they had been badgered by people
 18 from the V.A. calling up to find out
 19 if I had made visits there.

20 Q: And who told you that?

21 A: Personal care, one of the
 22 Personal Care Homes that I had to
 23 visit.

24 Q: Which home was that?

25 A: That was Akron Haven. Also

PAGE 27

1 Independence Terrace, which is not
 2 Independence Terrace anymore. I was
 3 told that they had received calls.

4 Q: And when did the daily
 5 scrutiny and requiring that you call
 6 in. When did this begin?

7 A: When I was assigned to this
 8 unit. Before coming to this unit we
 9 worked in personal care homes. We
 10 were allowed to use the government
 11 car and we also at that point for a
 12 brief period. We would tell them,
 13 if we were in the field, we could
 14 take the car home and we could bring
 15 the car back in that next morning.
 16 I covered 43 counties and I covered
 17 Berks County, which was very near to
 18 the county, which I reside and it
 19 was a lot more direct to go there
 20 than come into the V.A. That
 21 changed.

22 Q: Was this Beulah Hadrick's
 23 decision to make these changes?

24 A: It was under that unit. I
 25 can't say specifically who's.

PAGE 28

1 Q: Um, how many people were in
 2 this unit?

3 A: What unit?

4 Q: The unit that you were
 5 working at?

6 A: I can't tell you
 7 specifically. There was only one
 8 other social worker and it for about
 9 three months I was the only social
 10 worker because he was able to get a
 11 transfer out.

12 Q: You mentioned other employees
 13 spying on you. Could you be more
 14 specific? What do you mean by that?

15 A: I was told by the people down
 16 at the garage that they had called
 17 out. Checking on me.

18 Q: Okay. Ah.

19 A: And when I would come into
 20 the office, each morning there would
 21 be this lady who would watch me as I
 22 came in and then she would briefly
 23 into the office and she would
 24 immediately go back and she would
 25 have a conversation with one of the

SHEET 8 PAGE 29

1 supervisors.

2 Q: And who was that?

3 A: Pardon?

4 Q: Who was that?

5 A: Who was this lady?

6 Q: Yes?

7 A: Well, actually it was more
8 than one person.9 Q: Okay, can you tell me who
10 they are?11 Q: If you cannot or choose not
12 to tell me. You can tell me that.
13 Either tell me or tell me that you
14 are not going to tell me. Do you
15 understanding what I am saying?16 BAILEY: You have an obligation to
17 tell. If she insists on it. If you
18 refuse, which you could do.19 A: I'm not refusing. I just
20 can't recall. I mean; this has been
21 a very traumatic experience to me
22 and recalling all of this is very
23 difficult. I mean there isn't a day
24 that has gone by that I don't
25 experience by memory and to recall

PAGE 30

1 all of the horrible things these
2 people did to me. It's a little too
3 much for me.4 BAILEY: Let me tell you, just so
5 you understand, Sammi, you and I
6 have talked about it and you know
7 how difficult it is and we have to
8 answer the questions unless somebody
9 watching you, they usually don't
10 know or care, but.

11 A: Yeah, I know.

12 BAILEY: You have to understand
13 you have to answer and what Cathy
14 can do.15 A: Okay, Lola Bell, herself, was
16 one who was constantly watching and
17 scrutinizing my activities. Ruth
18 Brown was another was scrutinizing
19 my daily watchings and checking on
20 my activities. As I say at the
21 garage. There were even other
22 social workers who informed me.

23 Q: Okay, do you need a break?

24 A: No.

25 Q: Now, I would like to ask

PAGE 31

1 about the use of the government car.
2 When you said you were told not use
3 the government car, do you mean that
4 you were told not to use it to go
5 home or that you were told not to
6 use it at all?7 A: Prior to coming into that
8 unit, we had access to the
9 government car. We would pick the
10 car up and after a while when you
11 were in the field after your working
12 hours you were allowed to take the
13 car home. My visits a lot of times,
14 I would pass by Personal Care Homes
15 and then have to come into the V.A.
16 to pick up a car and then go back
17 out. It was permissible for me and
18 some of the others; we took the car
19 home and we would make visits on our
20 way in in the morning. And we would
21 call from the Personal Care Home.
22 When we went under the Extended Care
23 Product line, we withheld; well we
24 received a memo I guess it was,
25 later that we were not allowed to do

PAGE 32

1 that.

2 Q: And I believe you testified
3 that the other social workers
4 continued doing that after you had
5 stopped? Is that right?

6 A: Yes.

7 Q: And when you told your
8 supervisors about that what did they
9 say?10 A: Actually, I did not tell the
11 supervisor about that. That was a
12 part of my EEO Complaint.13 Q: What happened after you
14 brought.?15 A: Then it was brought to the;
16 the EEO people brought it to the
17 attention of the supervisors.

18 Q: And then what happened?

19 A: Then they called him in and
20 talked to him and I don't know they
21 talked about?

22 Q: Did you stop doing that?

23 A: --.

24 Q: Why did you not name Lola
25 Bell Scott as a defendant?

SHEET 9 PAGE 33

1 BAILEY: Objection. You don't
2 have to respond to that. I would
3 object to that and would ask that
4 you withdraw it.
5 Q: On what grounds?
6 BAILEY: May I ask you, why didn't
7 you name Bill Clinton as a
8 defendant? Why didn't you name the
9 Veteran's Committee and the United
10 States Congress as a defendant?
11 Q: I assume you have the same
12 objection if I asked her about Ruth
13 Brown?
14 BAILEY: I have objection you
15 asking her any questions about why
16 she did or did not name someone as a
17 defendant because she has no
18 obligation to do so.
19 Q: I realize that. That's not
20 the basis to object to a question at
21 a discovery deposition.
22 BAILEY: Cathy, do you get the
23 message?
24 Q: Yeah, I do. But, I'm stating
25 mine.

PAGE 34

1 BAILEY: I understand.
2 Q: And I am going to state my
3 part of it, which is that there is
4 nothing improper about the question.
5 It is designed to lead to
6 discoverable information
7 particularly considering that those
8 are the only two individuals that
9 the plaintiff has actually
10 identified as watching her every
11 movement and she sued four different
12 individuals.
13 BAILEY: Well, maybe next time she
14 will sue you? I don't know?
15 Q: Is that a threat?
16 BAILEY: Do you want to take to it
17 that way?
18 Q: Um huh.
19 BAILEY: Well, you may. Do you
20 want to take it that way? You can
21 take it any way you please.
22 WRIGHT: Would you state that.
23 Can I answer that?
24 BAILEY: No, I do not want you to
25 respond to that question.

PAGE 35

1 WRIGHT: I was going to ask
2 something else.
3 BAILEY: Oh okay, go ahead. She
4 could sue anybody, including the
5 devil and the deep blue sea. That's
6 not an issue, Cathy. I wouldn't
7 get excited about that.
8 Q: Do you have something to say?
9 A: No.
10 Q: Okay.
11 A: **The people who were**
12 **identified were people who were**
13 **directly in some way.**
14 Q: Now, the letter that you sent
15 to Senator Spector on April 8, 2000,
16 do you recall that letter?
17 A: **Yeah, I'm sure I did.**
18 BAILEY: Do you have a copy?
19 FRYE: My copy has marks on it
20 and I wasn't sure if you want me to
21 give it to her? I don't know who
22 made the marks.
23 BAILEY: Honestly, I don't either,
24 but it ought to be preferable. Let
25 me see it. No, I did not make the

PAGE 36

1 marks.
2 Q: Do you have an unmarked?
3 BAILEY: I don't know, I am
4 looking for it. I think I provided
5 that to you, Cathy.
6 FRYE: I think you probably did.
7 BAILEY: Yeah, I think I did. Let
8 me check to see. I don't have a
9 copy.
10 FRYE: I'll work with this one
11 so long as you don't object.
12 BAILEY: I have no objection to
13 it.
14 FRYE: If you don't object, as
15 far as I know; I don't know who made
16 the marks and I don't want to ask
17 you any questions related to them.
18 BAILEY: Hey, you can ask her if
19 she made them. If she made them, I
20 think she has to answer. I don't
21 think she did? I don't know?
22 Q: Mrs. Wright, do you recognize
23 that letter?
24 A: **Yes I do.**
25 Q: Did you write that letter?

SHEET 10 PAGE 37

1 **A:** **Yes I did.**
 2 **Q:** Did you make the marks there
 3 on it?
 4 **A:** **What marks?**
 5 **Q:** Oh, there's a star down there
 6 in the margin?
 7 **A:** **No, I did not make the stars**
 8 **in the margin.**
 9 **Q:** All I really wanted to do is
 10 establish that the letter was sent
 11 on the date that marked.
 12 **BAILEY:** I think that was sent to
 13 me by William Livingston.
 14 **Q:** Okay. Now, I believe that
 15 you testified that you also wrote
 16 Senator Spector another letter?
 17 **A:** **Um hum.**
 18 **Q:** Do you recall what the other
 19 letter said?
 20 **A:** **In was in response to the**
 21 **response that was sent by the um;**
 22 **was signed by Ms. Sazbo.**
 23 **Q:** Do you recall about what date
 24 the other letter was sent?
 25 **A:** **May, June?**

PAGE 38

1 **Q:** Did you provide a copy of
 2 that letter to anyone at the V.A.
 3 Hospital?
 4 **A:** **Of which letter?**
 5 **Q:** The second letter?
 6 **A:** **No, why would I provide a**
 7 **letter to someone at the V.A.?**
 8 **Q:** I don't know? I'm just
 9 asking?
 10 **A:** **It may have been part of the**
 11 **other hearing.**
 12 **Q:** What do you claim that Ray
 13 Kent did that you are complaining
 14 about after you sent that letter?
 15 What actions of Ray Kent after you
 16 sent that letter are you complaining
 17 about in this lawsuit?
 18 **A:** **Say that again.**
 19 **Q:** What actions on the part of
 20 Ray Kent that occurred after you
 21 sent that letter are you complaining
 22 about? I'm asking you what
 23 specifically you are claiming he did
 24 to you after you sent that letter?
 25 **A:** **I went to Ray Kent.**

PAGE 39

1 **BAILEY:** Cathy I do have a clean
 2 copy of that letter. I think I do,
 3 let me see. This is Philadelphia
 4 Regional Counsel, so, yes, this came
 5 from you folks. Somewhere. Okay,
 6 as I was saying I have a clean copy
 7 if you need it. Right here. Do you
 8 want it?
 9 **FRYE:** Yes I would, but don't
 10 take it apart. How about if you
 11 mark it defense Exhibit 2 and at the
 12 end of the proceeding today I'll
 13 make a copy off yours. Thank you.
 14 **BAILEY:** Okay.
 15 **Q:** Okay, my question is what if
 16 anything, did Ray Kent do after you
 17 sent the April 8th letter that you
 18 are claiming violated any of your
 19 rights?
 20 **A:** **Um, as Ray Kent had stated, I**
 21 **was in his office frequently**
 22 **regarding issues with this unit. I**
 23 **even asked Ray Kent about a transfer**
 24 **to another unit. I asked about**
 25 **other openings and other positions.**

PAGE 40

1 **That I could be transferred to.**
 2 **Q:** And how did you respond?
 3 **A:** **I don't remember his exact**
 4 **response, but what it amounted to**
 5 **was there nothing he could do.**
 6 **Q:** Was there anything else?
 7 **A:** **Um. He told me that I would**
 8 **have to deal with it myself or fight**
 9 **it out myself. That I was not**
 10 **wanted in the unit. They did not**
 11 **want me there.**
 12 **Q:** Did you ever file a grievance
 13 over this issue?
 14 **A:** **Which one?**
 15 **Q:** The issue of the docking of
 16 the pay?
 17 **A:** **Yes.**
 18 **Q:** How was that grievance
 19 resolved? Did that grievance go to
 20 arbitration? I mean a Union
 21 grievance?
 22 **A:** **There was a Union initially**
 23 **involved, but it was not resolved as**
 24 **a result of my contact with Arlen**
 25 **Spector. It was after that then.**

SHEET 11 PAGE 41

1 Q: Now, again, I want to go back
2 to the date of this letter, which is
3 April 8, 2000. What if anything,
4 did Dr. Shreve do after that date
5 that you feel violated your rights?

6 A: Dr. Shreve did not allow me
7 an opportunity to speak with him to
8 discuss the issues that were going
9 on.

10 Q: And I'm sorry, you may have
11 already said this. Do you recall
12 when that incident occurred?

13 A: Which incident?

14 Q: His refusal to speak with you
15 about the issues?

16 A: Even after that we had no
17 contact during all this time, but he
18 signed off. He was never at any of
19 the meetings that we had that were
20 called. The times that I was called
21 back from the home.

22 Q: Now what specifically did
23 Charleen Sazbo do after the date of
24 this letter that you feel violated
25 your rights?

PAGE 42

1 A: Well, the letter, the
2 response whoever wrote the response
3 had her name signed on it.

4 Q: Okay anything else?

5 A: She made statements that were
6 not true, they were misleading.

7 Q: And what about Beulah
8 Hadrick? What did she do after the
9 date of this letter that you feel
10 violated your rights?

11 A: My rights were violated on a
12 daily basis through harassment.
13 Through the computer, through the
14 daily watching, through the
15 telephone calls, through the
16 transportation people, to the
17 operators.

18 Q: And that began soon after you
19 became supervised by Beulah Hadrick?

20 A: Almost immediately up on
21 coming into that unit. I have a
22 chronological listing of the
23 different events that happened.

24 Q: Do you recall when your pay
25 was docked?

PAGE 43

1 A: I recall being aware of it
2 two weeks after the pay period,
3 which was after the 21st date after
4 that pay period. It was like the
5 following pay period. That I
6 received, well, actually, that I
7 received notice on my pay.

8 Q: So you became aware of this
9 sometime after March 21st?

10 A: That's correct.

11 Q: And when was your pay
12 restored? Put back in your check?

13 A: Sometime after that letter to
14 Arlen Spector.

15 Q: About how long? Do you
16 recall?

17 A: I don't recall exactly.

18 Q: Now, I'm going to refer you
19 again to the Complaint. And ask you
20 for a few specific facts relating to
21 the allegations. Just bear with me
22 a moment. Okay, if you would refer
23 to paragraph 21, which is on page 4
24 of the Complaint. In that page you
25 allege that the torment and

PAGE 44

1 harassment includes having other
2 staff and even third persons
3 watching and report on you and
4 forcing you to follow demeaning
5 reporting procedures that no other
6 employee has to follow. What do you
7 mean by that? What demeaning
8 reporting procedures did you have to
9 follow?

10 A: Okay after the pay had been
11 docketed and I had to prove my
12 innocence. I was given two separate
13 questionnaires to respond to as to
14 where I was that day. Who I say. I
15 mean there was eight different
16 questions. Nobody else had to
17 respond to any questionnaires like
18 this. This was on two separate
19 occasions. First, they gave a date
20 that was incorrect that alleged that
21 I was a-wall. After I gave them the
22 necessary clients that I had seen
23 that day and responded to those
24 questions then within another day or
25 so, they said no that's the wrong

SHEET 12 PAGE 45

1 date and then I was given the same
2 questionnaire to respond to again.
3 Which, I did. With documentations,
4 with my cell phone log, which would
5 show that I had contacted the V.A.,
6 which showed that I had contacted
7 the homes and that I had received
8 calls on my telephone cell log plus
9 I got letters from Personal Home
10 Care sponsors saying that I there.

11 Q: Okay, were there any other
12 reporting requirements that you were
13 required to follow that no else was?

14 A: Yes, in terms of the monthly
15 visits and also the use of overtime.
16 There was another social worker who
17 was given the opportunity to work
18 from home at one period of time
19 there. Also, she was given overtime
20 for her work and visits to the home.
21 There were a number of homes and
22 patients that were not seen on a
23 monthly basis by this individual.

24 Q: Okay and who was this
25 individual?

PAGE 46

1 A: She is no longer there. Her
2 name was Bernadine Santano or
3 something like that.

4 Q: About when did she leave
5 there?

6 A: She just left about a month
7 or so ago. I think it was two
8 months ago.

9 Q: When was she allowed to work
10 at home? Approximately?

11 A: It was during the period of
12 time when I was there. Well,
13 actually I happened to find it out
14 by accident because the operator
15 called up and asked for her because,
16 so I had to cover something of hers
17 and that's when I got the
18 information that she get her calls
19 at home or something like that.

20 Q: And do you recall when that
21 was?

22 A: No, but I have it written in
23 my documents.

24 Q: Okay, if you look at
25 paragraph 27 of the Complaint.

PAGE 47

1 Where you state "The defendant
2 hasn't subjected you to a - of
3 harassing misrepresentations." What
4 misrepresentations did Beulah
5 Hadrick subject you to?

6 A: To go back to the a-wall.
7 She had me in terms of messages in
8 the computer. In terms of her
9 contact with my Personal Care Home
10 sponsors. In terms of the contacts
11 with the transportation people.
12 With the telephone operators.

13 Q: Okay, let me make sure I
14 understand your answer. When you
15 refer to the a-wall incident, you
16 are referring to the incident in
17 which your pay was docked and then
18 restored?

19 A: Pay was docked and then
20 restored. Also the two occasions
21 where she told me that if I did not
22 return back to the V.A. that I would
23 be charged with a-wall when I
24 visiting homes.

25 Q: And in what way are those

PAGE 48

1 misrepresentations?

2 A: In what way was? Well, the
3 thing was I was visiting the home
4 and she implied that I was not
5 visiting with patients.

6 Q: Did she imply this in her
7 conversation with you?

8 A: She told me that "Well,
9 you've been there long enough."

10 Well, she did not know what time I
11 arrived or how many patients were in
12 the home to be seen on that day.

13 Q: Okay, when you referred to
14 messages in the computer as an
15 example of misrepresentations by Ms.
16 Hadrick. What do you mean by that?

17 A: Um. When I would respond to
18 a message in the computer. There
19 would be another; a challenge to
20 that response. There were messages
21 that were forwarded to other people
22 who did not have any need to know
23 the conversation that existed; you
24 know that was between us.

25 Q: And who would she forward the

SHEET 13 PAGE 49

1 messages to?

2 A: Well, Ray Kent received some.
3 I even made a point of making him
4 aware that messages were being
5 forwarded to him.

6 Q: Anybody else?

7 A: There were also messages to
8 the operator that were not necessary
9 to be sent to the operator.

10 Q: What kind of messages were
11 you referring to that did not need
12 to be sent to the operators?

13 A: I can't tell you specifically
14 what the extent of the conversation
15 was. What the exchange was.

16 Q: Again in paragraph 27, you
17 state that defendant Hadricks
18 subjected you to reporting
19 requirements. Now you have already
20 mentioned the report, the two
21 questionnaires you had you fill out
22 during the docking incident. What
23 other reporting requirements did
24 Beulah Hadrick impose upon you that
25 you refer to in paragraph 27?

PAGE 50

1 A: There was the computer
2 message to seven different people
3 and we had to send our computer
4 message in terms of we were or where
5 we going. We also had to have a
6 weekly listing of homes that you
7 were going to visit. You were also
8 required to. I mean there must have
9 been about ten different things that
10 they expected you to do in terms of
11 the.

12 Q: The other social worker, Mr.
13 Ratcloth? Is that right? What was
14 his first name?

15 A: Gregory.

16 Q: Did he have to make those
17 reports also?

18 A: He was given I think, the
19 same list.

20 Q: Now at paragraph 28 you state
21 Shreve has personally participated.
22 Oh I'm sorry, strike that. "Shreve
23 forced you to alter your office
24 procedures and office appearance."
25 What are you referring to in that

PAGE 51

1 paragraph? It's paragraph 28.

2 A: That is when he came into my
3 office and then instructed me to
4 take the poster off the window. To
5 keep my door open and unlocked at
6 all times.

7 Q: Okay, is there anything else
8 that he forced you to change?

9 A: I can't remember the other
10 things, but I have it written down.
11 Oh back to the part about the other
12 social worker. The other social
13 worker like I said, he was not
14 reprimanded for his use of the
15 government car or for going to homes
16 before or after work until I brought
17 that to their attention when I was
18 reprimanded for that. Also, the
19 other. There's another point I
20 wanted to make there. He was
21 allowed to transfer to another unit
22 shortly after we were assigned to
23 the unit and on several occasions I
24 asked to be transferred. It's a
25 part of my EEO Complaint. And I

PAGE 52

1 also spoke with Ray Kent about that.
2 But, I was denied.

3 Q: Now do you recall the
4 timeframe when Mr. Ratcloth was
5 allowed to transfer?

6 A: We were in there the last of
7 February. By May he was on his way
8 out to Mental Health and Behavior
9 Science.

10 Q: Now I believe that you
11 testified earlier that you wrote a
12 second letter to Senator Spector
13 after you received the copy of Ms.
14 Sazbo's letter?

15 A: Um hum.

16 Q: Okay. Did you feel that you
17 were retaliated against for writing
18 that letter?

19 BAILEY: Cathy, if I may at this
20 point. I have located a copy of
21 that letter. Apparently, you don't
22 have that, but I got from Bill in a
23 packet. So he had it. I don't know
24 where he got it, he might have got
25 it from her, but I don't know when.

SHEET 14 PAGE 53

1 FRYE: Yeah, I would. Thanks.
 2 BAILEY: Why don't I just give you
 3 this clean copy now. Could I ask
 4 that be marked and made a part of
 5 the deposition? It's already number
 6 2, I think.
 7 FRYE: Yes. Yeah great.
 8 BAILEY: You may want to mark that
 9 down at the bottom. Here is the
 10 letter and I hesitate, but I have
 11 letters also to the ACLU and what
 12 not that she wrote. Do you want
 13 those? Do you want to look at this
 14 first? I assumed you had this
 15 because Bill had this. I discussed
 16 this stuff with him. I realize that
 17 maybe you don't and maybe you want
 18 to take a look at some of this?
 19 FRYE: Yes.
 20 BAILEY: Why don't you suspend.
 21 FRYE: It would just be a couple
 22 minutes.
 23 BAILEY: Okay, you don't have to
 24 suspend. She's just going to look
 25 at in place there. I ask that you

PAGE 54

1 not get them out of order.
 2 FRYE: Okay.
 3 BAILEY: They are in date order as
 4 I was told when they were given to
 5 me. When Bill sent them to me he
 6 said he put them in chronological
 7 order.
 8 FRYE: Could I get copies of
 9 these when you're done? I don't
 10 think I need to use them at this
 11 point.
 12 BAILEY: Sure.
 13 FRYE: Thank you.
 14 BAILEY: Okay they are all in
 15 there.
 16 FRYE: I didn't take them out of
 17 order.
 18 BAILEY: And her first letter is
 19 in there.
 20 FRYE: Yes, right here. It's
 21 marked.
 22 BAILEY: Okay that's the only one
 23 that's out. Okay, good.
 24 FRYE: Actually, I would like to
 25 take a quick break and talk to my

PAGE 55

1 clients for just a moment outside.
 2 We don't have to suspend.
 3 Q: Ms.Wright, I believe that you
 4 testified that your current
 5 supervisor is Mark Bachert?
 6 A: Yes.
 7 Q: Do you feel that under your
 8 current supervisor you are being
 9 fairly treated?
 10 A: It's a much more pleasant
 11 environment.
 12 Q: When did you first start
 13 working in this environment where
 14 you are now?
 15 A: I think about September 10th.
 16 September 10th I think it was?
 17 Q: Of 2001?
 18 A: 2000. yeah. I think it would
 19 be 2002 right?
 20 BAILEY: I don't know, I'm not
 21 allowed to.
 22 Q: No this is 2002. September
 23 10th has come yet.
 24 A: January, February, March,
 25 April, May, June, July, August,

PAGE 56

1 September. Well, yeah, it would be
 2 the latter part of September.
 3 Q: So, you've been there almost
 4 a year now?
 5 A: Yes, it will be a year in
 6 September.
 7 Q: And are you still at the
 8 same. Are you a GS level employee?
 9 A: Yes.
 10 Q: Okay, are you still at the
 11 same level you were at before?
 12 A: I think I have stepped since
 13 then.
 14 BAILEY: The level before what?
 15 Q: The level before the transfer
 16 to the new position.
 17 BAILEY: Were you going to ask
 18 resolution of the other case or?
 19 Q: No, I just want to know
 20 whether she is still making the same
 21 salary as she was before?
 22 BAILEY: Okay.
 23 Q: So you are making the same or
 24 a little bit more?
 25 A: That's a step. It's a step.

SHEET 15 PAGE 57

1 Q: Okay, I don't have any more
2 questions for Ms. Wright.

3 Cross Examination of Attorney Bailey

4 Q: I have just a few brief
5 questions. When you wrote to.
6 Remember writing to Senator Spector.
7 I think in your response you
8 directly indicated you had written
9 to Senator Spector. Did Senator
10 Spector respond to you?

11 A: Yes.

12 Q: Did he respond to you after
13 he received a reply to his inquiry
14 from Ms. Sazbo?

15 A: Yes.

16 Q: Did you write to Senator
17 Spector again?

18 A: Yes.

19 Q: Now it's my understanding
20 your response to questions asked by
21 Ms. Frye. Did you make the veteran's
22 or someone aware in the veteran's
23 association aware of that response?
24 If you remember? If you don't
25 remember.

PAGE 58

1 A: I don't recall.

2 Q: Alright. During the time you
3 were looking at documents with Ms.
4 Frye and myself. Cathy Frye and
5 myself, Attorney Frye. Do you have
6 a recollection of my making
7 reference to documents that I had
8 indicated I believed I had received
9 from Mr. Livingston. I'm sure she
10 can check with him of what he has in
11 his files. Did you remember that
12 reference?

13 A: Yes.

14 Q: Did you write to the ACLU?

15 A: Yes.

16 Q: Do you have a recollection of
17 whether the ACLU ever responded to
18 you?

19 A: Yes.

20 Q: Now, Ms. Frye has instructed
21 her clients not to respond to
22 questions during the so called other
23 case. Now, what was the other case
24 about?

25 A: What do you mean?

PAGE 59

1 FRYE: I object. Are you going
2 to use this an opportunity to put in
3 evidence, which I objected to when
4 you were asking of my clients?

5 Q: Well, here's what I am going
6 to do. If I understand you're
7 objecting. What I am going to do is
8 I am going to object to your
9 objection, but I am going to respect
10 it. I just want to make sure its
11 down. That's why I am doing this.

12 FRYE: Okay.

13 Q: So, if I understand it
14 correctly, your objecting to my
15 asking Sammi Wright questions about
16 what you and I have referred to as
17 the other case. Is that correct?

18 FRYE: Yes.

19 Q: During direct, didn't you ask
20 her if she had filed a grievance in
21 a case?

22 FRYE: Yes I did.

23 Q: Do you know whether any of
24 the issues of that grievance were
25 discussed during the other case or

PAGE 60

1 became an issue or even were any of
2 the work product in the grievance
3 process statements, etc., were used
4 in that the other case?

5 FRYE: I have no idea.

6 Q: Then why did you ask her
7 questions about that? Because I
8 think they were. So did you waive
9 your objection?

10 FRYE: I can't waive my
11 objection. This is a discovery
12 deposition. Number one and number
13 two I did not waive my objection.

14 Q: Okay you can waive your
15 objection now. Okay, now lets look
16 at time frame. You asked her
17 questions about her communication
18 with Senator Spector, am I correct?

19 FRYE: I'm not the witness here,
20 Don.

21 BAILEY: We are discussing the
22 objection.

23 FRYE: I'm not answering the
24 questions.

25 BAILEY: Alright. I'll be happy

SHEET 16 PAGE 61

1 to answer yours. If you want to ask
 2 me, I'll answer them for you. And I
 3 want you know that. It is my
 4 understanding when you ask questions
 5 on direct that you ask her questions
 6 about her communications with
 7 Senator Spector. It is my
 8 understanding for what it is worth,
 9 that communication took place and
 10 the record indicates this, after the
 11 reply that Charleen Sazbo made to
 12 the Senator and that communication
 13 indicates that Sammi Wright took
 14 objection to that reply and that
 15 reply upheld and indicated Sammi
 16 Wright was going to be suspended and
 17 also made factual representations
 18 about what she had done and they are
 19 part of the other case. Their part
 20 and parcel of the other case as I
 21 understand it. So, I feel your
 22 objection is selectively applied. I
 23 would ask you to respectfully
 24 withdraw it. It's unfair. I know
 25 your not going to do that. I would

PAGE 62

1 also ask that if you don't do that
 2 based on the tomorrow, I think we
 3 ought to. And I know your not going
 4 to do that, Cathy; since we need to
 5 talk to Judge Rambo first, that we
 6 put a hold on this deposition
 7 tomorrow to save time until we
 8 resolve this with Judge Rambo.
 9 FRYE: That's fine.
 10 BAILEY: With that being said, I
 11 will respect your objection.
 12 FRYE: My objection is not to
 13 the other case. My objection is to
 14 anything that happened to any
 15 actions that Ms. Wright is
 16 complaining about that occurred
 17 after the Complaint was filed.
 18 BAILEY: Well, let me say this to
 19 you. We made allegations of
 20 retaliation. I have been and I will
 21 share this with Judge Rambo. I have
 22 been working very, very hard and you
 23 cannot deny this to try to encourage
 24 and get depositions done. I
 25 understand that Ms. Hadrick is in

PAGE 63

1 Texas. My understanding your
 2 telling me is you had nothing to do
 3 with that and I am not implying that
 4 you did. I want to make that clear.
 5 Now, that makes my job difficult and
 6 I feel like perhaps there has been a
 7 plan, maybe even a sanctionable
 8 plan, I don't know, but it is very,
 9 very offensive to my client and me
 10 to delay and extend this litigation
 11 because somebody is entertaining, I
 12 don't know who in the government
 13 here, is entertaining some plan that
 14 their going to get outside a statute
 15 of limitation on the issue of
 16 retaliation in a response, okay to
 17 the communications with Senator
 18 Spector. I don't think that is
 19 reasonable. I think we are
 20 following discovery that allows us
 21 to talk to these people. To
 22 encourage and to develop
 23 discoverable information which would
 24 allow us to modify our complaint or
 25 amend the complaint well within the

PAGE 64

1 statute of limitations. So, I don't
 2 know that is the idea; I'm just
 3 saying it seems like this case has
 4 been; you know no matter what we try
 5 to do, it just drags on endlessly.
 6 We can't get things scheduled. We
 7 have tried. And now finally we get
 8 these scheduled and now we can't ask
 9 these related questions. That's my
 10 last pitch. I don't mean to be
 11 bothersome or obtrusive, but I
 12 really hope that you drop the
 13 objection. Assuming you will not, I
 14 am ready to proceed and I will
 15 respect your objection in order to
 16 get this done, but I want to
 17 continue her deposition also in case
 18 the judge, you know orders or says
 19 that we can explore those things.
 20 Okay?

21 FRYE: Well, I'm not sure. If
 22 you want to depose your own client.
 23 I guess that's fine.

24 BAILEY: No, I need to be able to
 25 respond to some of the issues you

SHEET 17 PAGE 65

1 raised. What happens to me is that
 2 your telling me that we get into
 3 certain areas that deal with that
 4 second case, as I understand it.
 5 That your interpretation of the
 6 complaint is that they are outside
 7 the parameters of this complaint.
 8 Now, I could come back very easily
 9 and say, "Hey, it's a retaliation or
 10 denial of access to the courts.
 11 Well within the two year statute of
 12 limitations", and in fact I may do
 13 that, but that's not; I mean it
 14 greatly limits the freedom that I
 15 have. And the other thing is its
 16 hard for me, I'm being very honest
 17 with you. I have to sit in mind and
 18 pick and choose where I cross a
 19 line, waste time and don't in terms
 20 of asking these questions and what I
 21 end up being subject to is your
 22 interpretation of what's outside the
 23 boundaries. And that's why we need
 24 the ruling from the judge. So, I
 25 think I'm being pretty sensible

PAGE 66

1 there; I want to do my best. I
 2 don't need to depose my client. I
 3 did have some documents in there
 4 that I think are very relevant to
 5 the time period in question that
 6 even you agree with and I want to
 7 ask some questions about that, but
 8 the bottom line. Your going to
 9 insist on your objection and you are
 10 asking me to; obviously, you don't
 11 have to participate with deposition
 12 and I can sit here and certainly can
 13 depose, I certainly will not do that
 14 though, but your asking me to
 15 respect your objection. Do I
 16 understand that?
 17 FRYE: That's right.
 18 BAILEY: Okay. I do so unhappily;
 19 most unhappily and I will continue
 20 under that agreement until we talk
 21 to Judge Rambo. Now, if I can't
 22 ask. You had indicated that you
 23 were asked some questions or given
 24 some kind of questionnaire. Do you
 25 remember that?

PAGE 67

1 **A: Yes.**
 2 Q: Cathy, would you look at
 3 this. Would you object to asking
 4 questions about this? Depending on
 5 the parameters of your objection? I
 6 think that roughly has a July 7
 7 date.
 8 FRYE: Yeah, that's fine.
 9 That's before.
 10 BAILEY: Anything before September
 11 18, right?
 12 FRYE: Yeah right.
 13 ATTORNEY BAILEY:
 14 Q: By the way, when was the MPSB
 15 filed?
 16 **A: I can't remember that?**
 17 Q: Do you know off hand, Cathy?
 18 FRYE: No.
 19 Q: Okay. Do you recollection of
 20 a fact-finding meeting with Beulah
 21 or that you shared with Beulah
 22 Hadrick? Do you remember this?
 23 **A: Um hum. There were two of**
 24 **those?**
 25 Q: There were two of those?

PAGE 68

1 There appear to be a list of
 2 questions here. Now, Sammi, who did
 3 these questions come from? This
 4 document has a July 6, 2000 date.
 5 Right? Who did the questions come
 6 from?
 7 **A: You mean the individual?**
 8 Q: Yeah.
 9 **A: Beulah and Lola were present.**
 10 Q: Were present?
 11 **A: Um hum.**
 12 Q: And they presented these
 13 questions to you?
 14 **A: They presented them. They**
 15 **started reading them off and I just**
 16 **asked them to give it me and I would**
 17 **respond to them.**
 18 Q: And so you responded to them
 19 in writing?
 20 **A: Yes.**
 21 Q: And on July 6th in response
 22 to a first question, you responded
 23 to this question. Your not sending
 24 one e-mail message every morning
 25 noting your schedule for both off

SHEET 18 PAGE 69

1 station and off to Lola Bell,
2 Georgia, Lynn and the telephone
3 operators as stated in the Community
4 Residential Care Program guidelines
5 of June 1, 2000. Now, this is
6 addressed to Beulah Hadrack and
7 Beulah is not mentioned in paragraph
8 one. Did Beulah; was Beulah a first
9 among equals with Ms. Bell?
10 **A: Actually, Lola was my first**
11 **line supervisor then Beulah was over**
12 **her. Joyce Landis inspected the**
13 **telephone I think she was a clerk.**
14 **Q: So, Beulah was over Bell?**
15 **A: Correct.**
16 **Q: And is your testimony, Beulah**
17 **as personally involved in handling**
18 **this?**
19 **A: She was the one in the**
20 **meeting with Lola.**
21 **FRYE: I'm sorry I didn't hear**
22 **the answer.**
23 **A: Yes, she was in the meeting**
24 **with Lola Bell.**
25 **Q: And Lola Bell did as she was**

PAGE 70

1 told. Is that correct?
2 **A: Yeah, she pretty much did**
3 **what she was told. She never would**
4 **really say too much.**
5 **Q: Never say too much. Well,**
6 **your response to the first question**
7 **was this is in response to your**
8 **continued menacing acts and ongoing**
9 **harassment. Messages are being sent**
10 **daily to the requested individuals**
11 **listed. You have also taken the**
12 **forwarding to these messages to Ray**
13 **Kent. Well, how did you know that?**
14 **A: Because you could always**
15 **check where the messages are coming**
16 **from and where they are going from.**
17 **You can find out who else was on the**
18 **message.**
19 **Q: What do you have like a list**
20 **serve there? Kind of a distribution**
21 **where the thing goes. You find out**
22 **who messes with the e-mail too,**
23 **right?**
24 **A: Um hum.**
25 **Q: So, while you were getting**

PAGE 71

1 these things from Beulah Hadrack.
2 **A: She was also forwarding to**
3 **Ray Kent or the telephone operators.**
4 **Q: Are you testifying that they**
5 **appear to be sent to Mr. Kent before**
6 **they got to you?**
7 **A: At the same time they were**
8 **sent to me, I guess they were being**
9 **sent to him too, because his name**
10 **would be on the list of people who**
11 **it was forwarded to.**
12 **Q: Was Charleen Sazbo's name on**
13 **that list?**
14 **A: I think there times when she**
15 **may have been on the list?**
16 **Q: Well, if you don't know don't**
17 **speculate. If you remember times**
18 **that she was on the list, tell us.**
19 **If you not, you don't know.**
20 **A: I can't remember exactly,**
21 **but.**
22 **Q: Okay, then that's the answer,**
23 **your not sure, you don't know. Now,**
24 **on June 12 Cathleen Shuey, now whose**
25 **that? Is she one of the telephone?**

PAGE 72

1 **A: She was a secretary with the**
2 **Chaplin Service.**
3 **Q: As well as the Ambassador?**
4 **What is that? The Ambassador tried**
5 **to contact you by your long-range**
6 **pager. You did not return any of**
7 **these pages. Why?**
8 **A: Well, the Cathy Shuey, I**
9 **never received those pages.**
10 **Q: Mam, I know that and I am**
11 **going to read you your response, but**
12 **who was the Ambassador?**
13 **A: The Ambassador, that's when**
14 **patients come to the hospital, they**
15 **need assistance or they have**
16 **questions that need to be answered,**
17 **someone is there to act as an**
18 **information person or to assist the**
19 **veterans with services.**
20 **Q: Okay, thank you. Your**
21 **response to that was "Cathy's**
22 **alleged pages did not reach my**
23 **pager, the pager read "no pages".**
24 **She was responded to after to after**
25 **reading an e-mail from her. She was**

SHEET 19 PAGE 73

1 responded to first by phone and then
2 a direct conversation. The Missy
3 was not used, but I did tell her
4 there were no pages from her." What
5 is that about? What is the word
6 "Missy" was not use?

7 **A:** Well, the lady who made the
8 statement that I didn't respond to
9 the pages addressed her as Missy or
10 something to that effect.

11 **Q:** And had that issued been
12 raised with you by Beulah?

13 **A:** What?

14 **Q:** That you had allegedly used
15 the term "Missy"?

16 **A:** I don't remember if that was
17 the first time that came up? I
18 think that was the first time that I
19 received that?

20 **Q:** Okay. On the fourth attempt
21 by Cathleen Shuey to contact you by
22 your long range pager, you responded
23 within five minutes by entering her
24 office and standing face to face
25 with her and said "Missy, you did

PAGE 74

1 not page me on my pager. What do
2 you have to say about this
3 behavior?" Had you had an
4 opportunity to respond to those
5 accusations before you got this?

6 **A:** No.

7 **Q:** So, the first time you had an
8 opportunity to respond to what you
9 did in conclusive fashion was when
10 you got this?

11 **A:** Yes.

12 **Q:** And you said I responded by
13 phone to the e-mail message as
14 stated above. Correct?

15 **A:** Correct.

16 **Q:** And this is July 6, 2000,
17 fact-finding meeting. Is that
18 correct?

19 **A:** Correct.

20 **Q:** Is that after you wrote to
21 Arlen Spector?

22 **A:** Yeah, that would be after.

23 **Q:** Was it after Arlen Spector
24 responded to you?

25 **A:** Yes.

PAGE 75

1 **Q:** Was it after Charleen Sazbo
2 sent a reply to Arlen Spector, which
3 I understand you feel is inaccurate
4 in certain ways. Is that correct?

5 **A:** That's correct.

6 **Q:** Was it after you wrote back
7 to Arlen Spector?

8 **A:** That's correct

9 **Q:** Was it after you contacted
10 the ACLU?

11 **A:** I think that probably would
12 be about that time. Yes, I think
13 that would be the same period.

14 **Q:** Alright, I'm not going to
15 subject the record to adding
16 anymore. There is documents here
17 for Cathy to look at and use if she
18 wants to. Now I just want to again,
19 just a couple things and they are
20 directly relevant and I will try to
21 limit this to Cathy. Bill sent me
22 two Affidavits. Do you want to take
23 a look at them? I want to put them
24 back in my place, but I will give
25 you copies of them.

PAGE 76

1 **FRYE:** Okay.

2 **Q:** Thank you. These are very
3 brief. Who is Barb? Do you know a
4 Barb or Bart Ditzler?

5 **A:** She was one of the Personal
6 Care Home caregivers. The manager
7 of the home.

8 **Q:** And would you look at these
9 two documents, please very quickly.
10 I think it will help us. Identify
11 them for the record.

12 **A:** Yes. I remember those two.

13 **Q:** Okay. I will read the first
14 one to you dated April 24, 2000.

15 "Beulah, I am writing this note to
16 let you know Sammi Wright was here
17 today. Now that I know to keep to
18 track of her, I will." The second
19 paragraph "Bret Glaser's parents
20 talked to her also, Bob Martin David
21 Miller, Myrtle Lounge did too." Who
22 is Bret Glaser?

23 **A:** He's one of the guys in the
24 home.

25 **Q:** One of the veterans?

SHEET 20 PAGE 77

1 **A:** Um hum.
 2 **Q:** Bob Martin, David Miller,
 3 Myrtle Louge are veterans? Is that
 4 correct?
 5 **A:** Yes.
 6 **Q:** So, before April 24, 2000,
 7 this letter was sent to Beulah. If
 8 you believe it was, because it's
 9 addressed to Beulah. I would like
 10 to know how you got it, where you
 11 got it, etc., the circumstances of
 12 how you acquired this?
 13 **A:** That's April 24?
 14 **Q:** Yeap. Do you remember when
 15 you first saw it? It's not
 16 addressed to you; it appears to be
 17 addressed to Beulah. First of all,
 18 have you seen the document before?
 19 **A:** Yes, I have seen it before.
 20 I know I received a copy and I guess
 21 a copy may have gone to them.
 22 **Q:** To whom?
 23 **A:** To Beulah and Scott Shreve,
 24 regarding.
 25 **Q:** How do you know that?

PAGE 78

1 **A:** Because I know that after
 2 this I was alleged to be a-wall
 3 after I found it out, I immediately
 4 made it my business to go out to the
 5 homes to speak to the homes about
 6 verifying that I was there on those
 7 dates.
 8 **Q:** Sammi are there any. I'm
 9 sorry.
 10 **A:** I went out to the homes and I
 11 informed the homes.
 12 **Q:** Were you a-wall, Sammi?
 13 **A:** No, I was not a-wall.
 14 **Q:** Were you doing your job,
 15 Sammi?
 16 **A:** I was most definitely doing
 17 my job.
 18 **Q:** Was that information readily
 19 available to your superiors at the
 20 veteran's administration hospital,
 21 if they had checked on it?
 22 **A:** Yes it was, if they had
 23 checked.
 24 **Q:** And is it correct that you
 25 were docked a pay without being

PAGE 79

1 notified and that you complained t
 2 the ACLU and to Senator Spector?
 3 Right?
 4 **A:** Yes.
 5 **Q:** Now, there is an Affidavit.
 6 It says for your information. This
 7 is from Akron Haven, the same home,
 8 I guess. It's dated April 21, 2000,
 9 and it's RE: Sammi Wright
 10 Conference with Bret Glaser, Joe
 11 Lesko, Billy Pearson to whom it may
 12 concern, this is to verify I had an
 13 in depth conference with Sammi
 14 Wright V.A. Soc. concerning Bret
 15 Glaser, Joe Lesko or Fesko, sorry,
 16 and Billy J. Pearson on 3/21/2000.
 17 Sammi's concern and thoroughness is
 18 a breath of sunshine and appreciated
 19 by me and the veterans she
 20 represents. Best regards and job
 21 well done to Mrs. Sammi Wright,
 22 sincerely Terry L. Neidigh. Now,
 23 what about him and how did that
 24 think come to?
 25 **A:** He's the owner of the

PAGE 80

1 **Personal Care Home.**
 2 **Q:** How many people do they have
 3 there?
 4 **A:** They had about maybe six
 5 veterans and they had other
 6 community people too. For a total
 7 of maybe twenty in the home.
 8 **Q:** Are they still in operation?
 9 **A:** Yes they are.
 10 **Q:** Mr. Neidigh, is he still
 11 there?
 12 **A:** Yes.
 13 **Q:** Is it still within your care
 14 area?
 15 **A:** Oh, I don't do personal care
 16 homes anymore. I'm in acute
 17 psychiatry on the ward.
 18 **Q:** That's right, you did say
 19 that. Okay, you said there was
 20 another fact finding. Do you know
 21 what the date of that was?
 22 **A:** I don't know, but it was the
 23 same questionnaire because the dates
 24 was incorrect that they had given me
 25 first to fill out and then they gave

SHEET 21 PAGE 81

1 me the 21st date as the date to fill
2 out because they had given me
3 another date to say that I was a-
4 wall.

5 Q: You wrote some letters
6 directly to Beulah Hadrick, didn't
7 you?

8 A: Those were responses to
9 various memos or whatever that she
10 had written or they had written.

11 Q: And did all of those issues
12 without talking about the substance
13 of your second case; did those issue
14 become substantive issues in your
15 second case? Were they raised there
16 and discussed there? The other case
17 that you had handled by yourself.
18 Were the issues of the disciplinary
19 actions taken against you taken up
20 there?

21 A: Yes.

22 Q: Strike the question. Counsel?

23 FRYE: Well, for the record,
24 Don, she's your client. I can't
25 instruct her not to answer.

PAGE 83

1 Q: You were here this morning
2 for Mr. Kent's testimony were you
3 not?

4 A: Yes.

5 Q: And he; do you recollect his
6 testimony that you came in from time
7 to time with questions and what not,
8 not on a regular basis, but a number
9 of times. Do you remember that
10 testimony?

11 A: Um hum.

12 Q: Alright. Do you recollect
13 Mr. Kent testifying to a change in
14 the way services were delivered at
15 some point? I think he said 1997,
16 but he may have then corrected me to
17 a later year, I'm not sure. You
18 would know, you were there. Did
19 there come a time when folks were
20 reassigned and assigned to different
21 places and that sort of thing
22 sometime in the late 1990s?

23 A: What's the question?

24 Q: The question is; did you have
25 a difficulty adjusting to the

PAGE 82

1 BAILEY: No, but I told you that
2 indifference to a conversation we
3 are to have with Judge Rambo that I
4 would not tread upon your objection.
5 If you want to waive it, we can go
6 into this and get this work done,
7 but I understand you don't want to
8 waive it, so there is not much I can
9 do. Except be courteous and polite,
10 which you know I propose to do.

11 Q: Was there a change of
12 intensity in how you were treated
13 after you wrote to Arlen Spector?

14 A: Yes.

15 Q: In what way? What was the
16 nature of the change?

17 A: I dreaded going to work
18 everyday because I dreaded the
19 message in the computer. I dreaded
20 the stares of the people. I dreaded
21 the whispers, the conversations. I
22 was denied educational leave time.
23 It was a horrible, horrible
24 experience. Yes, it became
25 increasingly worse working there.

PAGE 84

1 change?

2 A: There was a difficulty
3 adjusting to the different demands
4 that were placed upon social
5 workers.

6 Q: And did you?

7 A: Because of the lack of time
8 that you had to accomplish and also
9 with the shortage staff you were
10 still required or asked to perform.

11 Q: Did you believe that those
12 changes made it more difficult to
13 serve your veteran clients?

14 A: It made it extremely
15 difficult to serve the veterans
16 because you were consuming more time
17 driving in to pick up a car to get
18 back out to the community whereas
19 you could have covered two homes
20 before you came into the community
21 or you could have visited homes on
22 your way out in the afternoon. You
23 also had the; you were out in the
24 field and you had to come back in
25 and you had to do your notes in the

SHEET 22 PAGE 85

1 computer because you were not
2 allowed to use your computers at
3 home, which is where we had been
4 able to do before or to use them in
5 the community. There were more
6 restrictions placed upon you instead
7 of having more time to work with
8 veterans you had less time to work
9 with veterans.

10 Q: Now Sammi, as a result of
11 those changes did you complain
12 internally at the V.A. to your
13 immediate supervisors and to Mr.
14 Kent?

15 A: We were not given much of an
16 opportunity to express the need to
17 the veterans based upon our
18 experience and working in the
19 program. We knew what worked and
20 what didn't and what was most, you
21 know, helpful to us. And which was
22 the most efficient way of doing a
23 lot of the things, but we were not
24 allowed to express those things,
25 those views.

PAGE 86

1 Q: Mr. Kent testified that to
2 the best of his knowledge, he was
3 not present. But, to the best of
4 his knowledge, there were
5 conferences and get togethers where
6 the social workers were able to
7 provide impute on these issues. Was
8 he wrong?

9 A: That wasn't with the unit I
10 with. That was only myself and
11 another social worker. And the
12 managers and they pretty much told
13 you what you were going to do.

14 Q: Could I have Exhibit 2
15 please? Thank you. And I would
16 like to read, it's very brief; your
17 letter to Senator Spector into the
18 record paragraph by paragraph. I am
19 going to ask you some brief
20 questions and we will be finished.
21 "Dear Sir", first sentence. "I
22 would like to know why mental health
23 services to veterans are being cut?"
24 Is that about you?

25 A: Yes it is and about the

PAGE 87

1 veterans who I was serving.

2 Q: Okay. "As a social worker at
3 the Lebanon VAMC, I have seen
4 management's changes to programs and
5 staff decrease the efficiency in
6 meeting veteran's needs." What are
7 you talking about there?

8 A: First, we had the cut in
9 terms of the number of social
10 workers to cover. We had over
11 twenty something homes, we had over
12 200 veterans in personal care homes,
13 so we were cut back to two social
14 workers having to cover those homes.
15 We were also cut back in terms of
16 the time that we were allowed to
17 visit the homes. We were also cut
18 back in terms of the type of
19 services we were able to provide to
20 veterans in the home because of the
21 time constraints. And because of
22 the lack of support.

23 Q: Well, you heard the testimony
24 of Charleen Sazbo and didn't she
25 indicate that you were encouraged to

PAGE 88

1 write to your senators and
2 congressmen?

3 A: I just heard that today. I
4 mean I took it upon myself to.

5 Q: Yeah, but you heard her say
6 that, apparently, she approves and
7 based upon the testimony she
8 provided the veteran's
9 administration and its very capable
10 staff, as she described them
11 approves and supports writing to
12 your elected representatives about
13 problems that affects the veteran's
14 administration, the home or excuse
15 me, the institution down there, the
16 hospital and the veterans. Is that
17 not correct? Is that not what she
18 testified to?

19 A: That's what she said.

20 Q: Okay. The second paragraph.
21 "These changes have increased the
22 workload, but decreased staff and
23 greatly limited the accessibility of
24 staff and services to veterans.
25 Recent changes in the past month

SHEET 23 PAGE 89

1 were restrictions placed on the
 2 availability and use of government
 3 vehicles. This has limited the
 4 number of veterans seen and
 5 increased travel time." Is that
 6 consistent with the way you have
 7 testified here today?
 8 **A: That's correct.**
 9 Q: Do you think that is
 10 consistent with the kind of thing
 11 that Ms. Sazbo indicated should be
 12 communicated to an elected
 13 representative to make them aware of
 14 problems. Is that correct?
 15 **A: That's correct.**
 16 Q: Alright. It says "On March
 17 21 I used my own car to make home
 18 visits. Management was aware of
 19 this plan. I have attached letters
 20 from the homes visited." Next
 21 paragraph. "And admittedly, this
 22 appears to be about you. I received
 23 a letter on 4/6/2000, charging me
 24 with a-wall. Yet eight hours of pay
 25 had already been taken from my pay

PAGE 90

1 before receiving the letter. The
 2 letter state further action of
 3 proposed suspension of fifteen days
 4 without pay. I have until 4/21/2000
 5 to respond to these allegations."
 6 Why were you making the good senator
 7 aware of those problems?
 8 **A: I was concerned for veterans.**
 9 **I worked for the Federal Government**
 10 **for a number of years and I do feel**
 11 **that with the changes a lot of**
 12 **services are just not being**
 13 **available anymore.**
 14 BAILEY: Okay, thank you.
 15 ATTORNEY FRYE: I have a few
 16 questions.
 17 Q: Ms. Wright, am I correct then
 18 that before you wrote this April 8,
 19 2000 letter to Senator Spector, your
 20 pay had been docked?
 21 **A: Yes.**
 22 Q: And there was a proposal to
 23 suspend you?
 24 **A: Yes.**
 25 Q: And after you wrote to

PAGE 91

1 Senator Spector your pay was
 2 restored?
 3 **A: Yes.**
 4 Q: And you were not suspended?
 5 **A: No.**
 6 Q: You also, I think testified
 7 that Lola Bell Scott was your first
 8 level supervisor?
 9 **A: Correct.**
 10 Q: So it was not Beulah Hadrick,
 11 it was Lola, who was your immediate
 12 supervisor?
 13 **A: On the chart, yes.**
 14 Q: What does that mean on the
 15 chart?
 16 **A: Well, she was present, but**
 17 **she was never really that active in**
 18 **terms of; it was always Beulah or**
 19 **Scott Shreve who would actually sign**
 20 **off.**
 21 Q: Did you get yearly
 22 evaluations?
 23 **A: I got my first evaluation**
 24 **December 15th and about two days**
 25 **later I got the proposed dismissal**

PAGE 92

1 **termination.**
 2 Q: Who did your evaluation?
 3 **A: It was signed off by I think**
 4 **by Scott Shreve.**
 5 Q: What was Lola Bell Scott's
 6 title?
 7 **A: I don't know what her title**
 8 **is?**
 9 Q: Well, what was her role in
 10 the unit?
 11 **A: She was supposed to be the**
 12 **first line supervisor.**
 13 Q: What did she spend her time
 14 doing?
 15 **A: I could not tell you what she**
 16 **spent her time doing.**
 17 Q: Now Mr. Bailey referred to
 18 some handwritten Affidavits from the
 19 personal care homes. You asked for
 20 those Affidavits? Is that right?
 21 **A: I had to get proof of my; I**
 22 **spoke with Ray Kent about this and**
 23 **after that discussion is when he**
 24 **told me that I would have to; and I**
 25 **went and I made contact with the**

SHEET 24 PAGE 93

1 homes, yes.
 2 Q: And you submitted those to
 3 Beulah Hadrick?
 4 A: I can't remember if I
 5 submitted them or if they mailed
 6 them in or what the circumstances
 7 was or whatever, but I also gave a
 8 copy of my cell log, which reflected
 9 that date and the telephone calls
 10 from those communities.
 11 ATTORNEY BAILEY: Just to clarify,
 12 what is a cell log?
 13 A: Actually, it was a copy of my
 14 telephone deal.
 15 Q: It tells where you are and
 16 where you are making calls from,
 17 right?
 18 A: Yes.
 19 ATTORNEY FRYE:
 20 Q: And after you submitted those
 21 materials, the proposed discipline
 22 was rescinded?
 23 A: Yes at some point.
 24 BAILEY: Object to the
 25 characterization of the proposed

PAGE 94

1 discipline. She has already been
 2 without notice, docked in pay.
 3 There was a proposed fifteen day
 4 suspension, I believe.
 5 Q: And that was rescinded,
 6 right? After you submitted those
 7 materials?
 8 A: Yes.
 9 FRYE: Okay, that's all I have.
 10 ATTORNEY BAILEY:
 11 Q: Now Ms. Frye asked you like a
 12 good lawyer should, a couple
 13 questions about the poster on the
 14 door and keeping your door unlocked.
 15 Well, you know Sammi, it sounds
 16 pretty petty to me. Is there any
 17 significance attached to a poster on
 18 the door and keeping your door
 19 unlocked?
 20 A: Yes, it was when other
 21 employees had posters on the doors
 22 and their doors were closed.
 23 Q: Oh, in other words, your
 24 terms and conditions of employment
 25 were different. You were not

PAGE 95

1 allowed to have a poster on your
 2 door and your door had to be open.
 3 A: Correct.
 4 Q: Were you given any
 5 explanation as to why?
 6 A: No.
 7 Q: What was the poster? Was it
 8 just a piece of paper or what was
 9 it?
 10 A: It was a small window and
 11 people would pass by looking inside
 12 or whatever. So, it was just a way
 13 of having privacy. Just like here
 14 you have privacy. You know there is
 15 no way to look in at people. And
 16 other doors had maybe similar
 17 windows and they had a way of
 18 closing that space off.
 19 Q: And it was Dr. Shreve that
 20 came to you and said not you. You,
 21 Sammi, you have to take your poster
 22 down and you have to keep your door,
 23 was it unlocked or open? I don't
 24 remember?
 25 A: You keep your door unlocked

PAGE 96

1 and opened.
 2 Q: Unlocked and open?
 3 A: Yes. It wasn't quite as
 4 nicely said as you said it.
 5 Q: It was not presented that
 6 way?
 7 A: No.
 8 Q: I'm very courteous in my
 9 demeanor, that's different, but he
 10 was not that way. He was and I am
 11 being factious obviously, and I'm
 12 displaying my offense and I should
 13 not do that and I apologize for
 14 that, but he came into your office.
 15 Was the door open at the time that
 16 he gave you these instructions?
 17 A: I think he just walked in, I
 18 can't recall if the door was open or
 19 not. I don't remember.
 20 Q: Can you tell me, if you know,
 21 what precipitated or what preceded
 22 his coming into the office and
 23 giving you those instructions?
 24 A: I don't know what preceded
 25 it?

SHEET 25 PAGE 97

1 Q: Did you ask him why?
 2 A: I don't think I even
 3 responded because I was in shock at
 4 the way he came in. He came in and
 5 stood over me and it was like a
 6 threatening kind of way and he told
 7 me you take the poster off the door
 8 and keep your door unlocked and
 9 opened. It was not an exchange
 10 where I asked questions.
 11 BAILEY: Okay. Thank you. I
 12 don't have anything further.
 13 ATTORNEY FRYE:
 14 Q: I would like to follow up
 15 then. When did that happen?
 16 A: I think you asked that before
 17 and I told you I did not remember
 18 the exact date.
 19 Q: And who was it that had
 20 posters on their doors and kept
 21 their doors closed?
 22 A: The secretary, Lola Bell
 23 Scott, there were several times I
 24 went to her office and I had to
 25 knock on the door because her door

PAGE 98

1 was locked.
 2 Q: Your supervisor?
 3 A: The secretary, yes.
 4 Q: What secretary?
 5 A: Ah, what's her name?
 6 Towatter. I can't remember her
 7 first name.
 8 Q: Anybody else?
 9 A: Um, the other; I can't
 10 remember the other lady's name; she
 11 was a nurse. She used to go out to
 12 the homes, but she had a poster on
 13 her door too.
 14 Q: Was Scott Shreve their
 15 supervisor?
 16 A: He was the head of the
 17 department.
 18 Q: Was Beulah Hadrick their
 19 supervisor?
 20 A: Scott Shreve was the, we'll
 21 say the manager of the department
 22 then there was Beulah then there was
 23 Lola Scott.
 24 Q: What about the other social
 25 worker, was she in your department?

PAGE 99

1 A: He? Yes.
 2 Q: No, I mean somebody.
 3 A: Your talking about different
 4 time periods here.
 5 Q: Oh okay. What I am trying to
 6 get at is were there other people in
 7 your department who kept their doors
 8 closed and their windows covered?
 9 A: Yes.
 10 Q: And who was that?
 11 A: I just gave you the names.
 12 Q: Lola and the secretary?
 13 A: The secretary and the other
 14 lady who worked as a nurse.
 15 Q: You don't remember that name?
 16 A: I can't think of it right
 17 now.
 18 FRYE: That's all.
 19 BAILEY: Is that it?
 20 FRYE: Yeap.
 21 BAILEY: I would ask that the
 22 deposition be continued subject to
 23 our discussion with Judge Rambo.
 24 Video Reporter: The date is
 25 July 9, 2002, 3:17 p.m. and this

PAGE 100

1 deposition is suspended.
 2 1

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<p>1</p> <p>1 [2] 22:17 69:5 1:19 [1] 1:12 1:cv-00-1657 [1] 1:10 10th [3] 65:15,16,23 12 [1] 71:24 15th [1] 91:24 17110 [1] 1:18 18 [1] 67:11 1990s [1] 83:22 1995 [1] 4:13 1997 [4] 7:10,13,16 83:15</p>	<p>access [2] 31:8 65:10 accessibility [1] 88:23 accident [1] 46:14 accomplish [1] 84:8 accurate [1] 21:17 accusations [1] 74:5 aclu [5] 53:11 58:14,17 75:10 79:2 acquired [1] 77:12 act [1] 72:17 action [8] 16:4,5,7 23:8,14,16,20 90:2 actions [4] 38:15,19 62:15 81:19 active [1] 91:17 activities [4] 23:6 25:24 30:17,20 acts [1] 70:8 actually [12] 4:22 9:14 14:2 29:7 32:10 34:9 43:6 46:13 54:24 69:10 91:19 93:13 acute [2] 5:16 80:16 adding [1] 75:15 addition [1] 10:2 additional [1] 9:20 address [3] 1:16,22 2:12 addressed [7] 9:6,10 69:6 73:9 77:9,16,17 adjusting [3] 9:3 83:25 84:3 administration [3] 78:20 88:9,14 admittedly [1] 89:21 advise [1] 16:9 advised [1] 19:2 affairs [1] 4:3 affects [1] 88:13 affidavit [1] 79:5 affidavits [3] 75:22 92:18,20 afternoon [1] 84:22 afterwards [1] 22:18 ago [3] 10:23 46:7,8 agree [1] 66:6 agreement [1] 66:20 ah [2] 28:18 98:5 ahead [2] 13:17 35:3 akron [2] 26:25 79:7 al [1] 1:10 alan [5] 7:25 8:10,11,19 11:3 allegations [3] 43:21 62:19 90:5 allege [2] 12:5 43:25 alleged [4] 13:25 44:20 72:22 78:2 allegedly [1] 73:14 allow [3] 16:23 41:6 63:24 allowed [11] 27:10 31:12,25 46:9 51:21 52:5 55:21 85:2,24 87:16 95:1 allows [1] 63:20 almost [2] 42:20 56:3 already [7] 23:20 25:9 41:11 49:19 53:5 89:25 94:1 alright [5] 58:2 60:25 75:14 83:12 89:16 alter [1] 50:23 although [1] 7:7 ambassador [4] 72:3,4,12,13 amend [1] 63:25 amendment [7] 11:20,24 12:10 16:17 19:19 20:21 24:14 among [1] 69:9 amounted [1] 40:4 another [14] 15:16 17:20 21:8 30:18 37:16 39:24 44:24 45:16 48:19 51:19,21 80:20 81:3 86:11 answer [14] 3:8,9,14 25:16 30:8,13 34:23 36:20 47:14 61:1,2 69:22 71:22 81:25 answered [2] 3:3 72:16 answering [1] 60:23</p>
<p>2</p> <p>2 [3] 39:11 53:6 86:14 20 [1] 4:19 200 [1] 87:12 2000 [17] 7:21,22 17:16 18:12 23:1,2 24:10 35:15 41:3 55:18 68:4 69:5 74:16 76:14 77:6 79:8 90:19 2001 [1] 55:17 2002 [4] 1:11 55:19,22 99:25 21 [4] 23:2 43:23 79:8 89:17 21st [5] 15:1 22:15 43:3,9 81:1 221-9500 [1] 1:19 228 [1] 1:22 24 [4] 22:25 76:14 77:6,13 25 [1] 24:10 27 [3] 46:25 49:16,25 28 [2] 50:20 51:1</p>	
<p>3</p> <p>3/21/2000 [1] 79:16 3:17 [1] 99:25 30 [1] 26:10</p>	
<p>4</p> <p>4 [1] 43:23 4/21/2000 [1] 90:4 4/6/2000 [1] 89:23 4:00 [1] 5:7 43 [1] 27:16 4311 [1] 1:16 4482 [1] 1:25</p>	
<p>6</p> <p>6 [2] 68:4 74:16 6th [1] 68:21</p>	
<p>7</p> <p>7 [1] 67:6 7:30 [1] 5:7 717 [1] 1:19 717)221 [1] 1:24</p>	
<p>8</p> <p>8 [3] 35:15 41:3 90:18 8th [1] 39:17</p>	
<p>9</p> <p>9 [2] 1:11 99:25</p>	
<p>A</p> <p>a-wall [9] 14:1 44:21 47:6,15,23 78:2,12,13 89:24 able [5] 28:10 64:24 85:4 86:6 87:19 above [1] 74:14 abuse [1] 10:22</p>	

P.R. VIDEO, INC

answers [1] 3:11
 anybody [3] 35:4 49:6 98:8
 apart [1] 39:10
 apologize [1] 96:13
 apparently [2] 52:21 88:6
 appear [2] 68:1 71:5
 appearance [1] 50:24
 appears [2] 77:16 89:22
 applied [1] 61:22
 appointment [1] 9:8
 appreciated [1] 79:18
 approved [1] 17:5
 approves [2] 88:6,11
 approximately [2] 21:4 46:10
 april [1] 22:15 24:10 35:15 39:17 41:3 55:25 76:14 77:6,13 79:8 90:18
 arbitration [1] 40:20
 area [1] 80:14
 areas [1] 65:3
 arlen [1] 12:11 13:2 14:2 21:14 40:24 43:14 74:21,23 75:2,7 82:13
 around [1] 20:4
 arrived [1] 48:11
 assessment [1] 9:2
 assessments [1] 5:18
 assigned [1] 10:10 15:11 16:19,20 17:14 21:18 22:8 23:2 27:7 51:22 83:20
 assist [2] 5:19 72:18
 assistance [1] 72:15
 assistant [1] 1:21
 assisting [1] 9:8
 association [1] 67:23
 assume [1] 33:11
 assumed [1] 53:14
 assuming [1] 64:13
 attached [2] 89:19 94:17
 attempt [1] 73:20
 attend [1] 5:20
 attention [2] 32:17 51:17
 attorney [1] 1:14,21 2:16,18 3:6 57:3 58:5 67:13 90:15 93:11,19 94:10 97:13
 august [1] 55:25
 availability [1] 89:2
 available [2] 78:19 90:13
 avers [1] 12:6
 aware [9] 23:19 43:1,8 49:4 57:22,23 89:13,18 90:7

B

b.a.c.h.e.r.t [1] 6:12
 bachert [2] 6:10 55:5
 back [23] 7:10,13 21:16 26:5,11,14 27:15 28:24 31:16 41:1,21 43:12 47:6,22 51:11 65:8 75:6,24 84:18,24 87:13,15,18
 badgered [1] 26:17
 bailey [9] 1:13,13 2:13,15 3:6,9 5:23 6:21 8:7 13:8,13 22:4 23:25 24:6,11 29:16 30:4,12 33:1,6,14,22 34:1,13,16,19,24 35:3,18,23 36:3,7,12,18 37:12 39:1,14 52:19 53:2,8,20,23 54:3,12,14,18,22 55:20 56:14,17,22 57:3 60:21,25 62:10,18 64:24 66:18 67:10,13 82:1 90:14 92:17 93:11,24 94:10 97:11 99:19,21
 barb [2] 76:3,4
 bart [1] 76:4
 based [8] 10:10 15:7 18:17 62:2 85:17 88:7
 basically [1] 2:9
 basis [8] 7:5 16:1 33:20 42:12 45:23 83:8
 bear [1] 43:21
 became [5] 7:19 42:19 43:8 60:1 82:24
 become [1] 81:14

began [1] 42:18
 begin [1] 27:6
 behavior [2] 52:8 74:3
 believe [10] 2:6 23:24 24:12 32:2 37:14 52:10 55:3 77:8 84:11 94:4
 believed [2] 20:20 58:8
 believes [1] 12:6
 bell [10] 30:15 32:25 69:1,9,14,24,25 91:7 92:5 97:22
 berks [1] 27:17
 bernadine [1] 46:2
 best [4] 66:1 79:20 86:2,3
 between [1] 48:24
 beulah [32] 1:8 7:19 21:1 24:13 27:22 42:7,19 47:4 49:24 67:20,21 68:9 69:6,7,8,8,11,14,16 71:1 73:12 76:15 77:7,9,17,23 81:6 91:10,18 93:3 98:18,22
 big [1] 16:20
 bill [5] 33:7 52:22 53:15 54:5 75:21
 billy [2] 79:11,16
 bit [1] 56:24
 blue [1] 35:5
 bob [2] 76:20 77:2
 both [3] 9:15 10:5 68:25
 bothersome [1] 64:11
 bottom [2] 53:9 66:8
 boundaries [1] 65:23
 break [2] 30:23 54:25
 breath [1] 79:18
 bret [4] 76:19,22 79:10,14
 brief [8] 8:1 27:12 57:4 76:3 86:16,19
 briefly [2] 5:11 28:22
 bring [1] 27:14
 brooklyn [1] 4:16
 brought [5] 25:6 32:14,15,16 51:16
 brown [2] 30:18 33:13
 burgess [8] 7:25 8:10,11,19 10:5 11:3
 business [1] 78:4

C

c.u.r.r.a.n [2] 8:6,7
 call [3] 26:8 27:5 31:21
 called [7] 25:22 28:16 32:19 41:20,20 46:15 58:22
 calling [1] 26:18
 calls [8] 26:2,6 27:3 42:15 45:8 46:18 93:9,16
 came [12] 16:18 17:6 28:22 39:4 51:2 73:17 83:6 84:20 95:20 96:14 97:4,4
 cannot [2] 29:11 62:23
 capable [1] 88:9
 car [17] 25:3,6 26:4,5 27:11,14,15 31:1,3,9,10,13,16,18 51:15 84:17 89:17
 care [24] 9:4,15 10:3,17 21:20 23:11 26:6,15,21,22 27:9 30:10 31:14,21,22 45:10 47:9 69:4 76:6 80:1,13,15 87:12 92:19
 caregivers [1] 76:6
 case [19] 1:4,14 2:19 56:18 58:23,23 59:17,21,25 60:4 61:19,20 62:13 64:3,17 65:4 81:13,15,16
 catherine [1] 1:20
 cathleen [2] 71:24 73:21
 cathy [15] 5:24 24:7 30:13 33:22 35:6 36:5 39:1 52:19 58:4 62:4 67:2,17 72:8 75:17,21
 cathy's [1] 72:21
 caused [1] 25:17
 cell [4] 45:4,8 93:8,12
 center [1] 5:12
 certain [2] 65:3 75:4
 certainly [2] 66:12,13
 challenge [1] 48:19
 change [5] 51:8 82:11,16 83:13 84:1

P.R. VIDEO, INC

changed [2] 14:11 27:21
 changes [8] 14:8 27:23 84:12 85:11 87:4 88:21,25 90:11
 chaplin [1] 72:2
 characterization [1] 93:25
 charged [2] 26:14 47:23
 charging [1] 89:23
 charleen [8] 1:8 20:19 22:21 41:23 61:11 71:12 75:1 87:24
 chart [2] 91:13,15
 check [4] 36:8 43:12 58:10 70:15
 checked [2] 78:21,23
 checking [2] 28:17 30:19
 choose [2] 29:11 65:18
 chronological [2] 42:22 54:6
 circumstances [2] 77:11 93:6
 claim [2] 11:20 38:12
 claiming [2] 38:23 39:18
 clarify [1] 93:11
 clean [3] 39:1,6 53:3
 clear [2] 7:16 63:4
 clerk [1] 69:13
 client [4] 63:9 64:22 66:2 81:24
 clients [5] 44:22 55:1 58:21 59:4 84:13
 clinton [1] 33:7
 closed [4] 17:3 94:22 97:21 99:8
 closing [1] 95:18
 come [13] 26:5,13 27:20 28:19 31:15 55:23 65:8 68:3,5 72:14 79:24 83:19 84:24
 coming [8] 24:17 27:8 31:7 42:21 70:15 96:22
 committee [1] 33:9
 communicated [1] 89:12
 communication [3] 60:17 61:9,12
 communications [2] 61:6 63:17
 communities [1] 93:10
 community [8] 8:22 22:8 23:10 69:3 80:6 84:18,20 85:5
 complain [1] 85:11
 complained [1] 79:1
 complaining [5] 12:21 38:13,16,21 62:16
 complaint [20] 6:19,23 7:1,6,9 11:19 17:20,23 18:17 19:3 32:12 43:19,24 46:25 51:25 62:17 63:24,25 65:6,7
 complaints [1] 18:24
 computer [13] 17:8 20:25 24:24 25:21,25 42:13 47:8 48:14,18 50:1,3 82:19 85:1
 computers [1] 85:2
 concern [3] 15:12 79:12,17
 concerned [1] 90:8
 concerning [1] 79:14
 concerns [2] 13:4 19:14
 conclusive [1] 74:9
 conditions [2] 15:21 94:24
 conference [2] 79:10,13
 conferences [1] 86:5
 conferring [1] 9:9
 congress [1] 33:10
 congressmen [1] 88:2
 connecting [1] 10:1
 consider [1] 19:18
 considering [1] 34:7
 consistent [2] 89:6,10
 constant [1] 25:19
 constantly [1] 30:16
 constraints [1] 87:21
 consuming [1] 84:16
 contact [8] 40:24 41:17 47:9 72:5 73:21 92:25
 contacted [4] 13:1 45:5,6 75:9

contacts [1] 47:10
 continue [2] 64:17 66:19
 continued [3] 32:4 70:8 99:22
 contract [1] 12:15
 contracted [1] 1:2
 conversation [8] 28:25 48:7,23 49:14 73:2 82:2
 conversations [1] 82:21
 coordinator [2] 6:14,16
 copies [3] 22:18 54:8 75:25
 copy [18] 6:19 22:12 24:7,9 35:18,19 36:9 38:1 39:2,6,13 52:13,20 53:3 77:20,21 93:8,13
 correct [24] 5:9 9:18 16:6 43:10 59:17 60:18 69:15 70:1 74:14,15,18,19 75:4,5,8 77:4 78:24 88:17 89:8,14,15 90:17 91:9 95:3
 corrected [1] 83:16
 correctly [1] 59:14
 counsel [4] 2:7 6:18 39:4 81:22
 counties [1] 27:16
 county [2] 27:17,18
 couple [4] 5:25 53:21 75:19 94:12
 court [4] 1:1,5 2:1 3:19
 courteous [2] 82:9 96:8
 courts [1] 65:10
 cover [3] 46:16 87:10,14
 covered [4] 27:16,16 84:19 99:8
 crisis [1] 9:7
 cross [3] 2:16 57:3 65:18
 curran [2] 8:4,5
 current [2] 55:4,8
 currently [3] 4:4 5:5 6:7
 cut [5] 86:23 87:8,13,15,17

D

daily [10] 16:1 20:25 24:20 25:20,20 27:4 30:19 42:12,14 70:10
 date [29] 1:11 13:25 14:22,25 15:2 18:9,11 22:13,15 24:6 37:11,23 41:2,4 23 42:9 43:3 44:19 45:1 54:3 67:7 68:4 80:21 81:1,1,3 93:9 97:18 99:24
 dated [2] 76:14 79:8
 dates [3] 7:8 78:7 80:23
 david [2] 76:20 77:2
 day [11] 13:3 17:3,6 23:7 25:24 29:23 44:14,23,24 48:12 94:3
 days [3] 5:8 90:3 91:24
 deal [3] 40:8 65:3 93:14
 dealing [1] 9:7
 dear [2] 22:20 86:21
 december [1] 91:24
 decision [1] 27:23
 decrease [1] 87:5
 decreased [1] 88:22
 deep [1] 35:5
 defendant [8] 32:25 33:8,10,17 47:1 49:17
 defendant's [1] 22:17
 defendants [3] 1:22 2:18 12:12
 defense [1] 39:11
 definitely [1] 78:16
 delay [1] 63:10
 delivered [1] 83:14
 demands [1] 84:3
 demeaning [2] 44:4,7
 demeanor [1] 96:9
 denial [1] 65:10
 denied [2] 52:2 82:22
 deny [1] 62:23
 department [8] 4:2 11:9,10,12 98:17,21,25 99:7
 depending [1] 67:4
 depose [3] 64:22 66:2,13

P.R. VIDEO, INC

deposition [9] 1:3 33:21 53:5 60:12 62:6 64:17 66:11 99:22 100:1
 depositions [1] 62:24
 depth [1] 79:13
 describe [3] 5:10 8:23 9:19
 described [1] 88:10
 designed [1] 34:5
 develop [1] 63:22
 devil [1] 35:5
 different [13] 19:2 20:12 26:1 34:11 42:23 44:15 50:2,9 83:20 84:3 94:25
 96:9 99:3
 differently [1] 24:22
 difficult [5] 29:23 30:7 63:5 84:12,15
 difficulty [3] 2:20 83:25 84:2
 direct [4] 27:19 59:19 61:5 73:2
 directions [1] 16:10
 directly [4] 35:13 57:8 75:20 81:6
 director [3] 11:6,7,12
 discharge [1] 5:20
 disciplinary [3] 23:8,14 81:18
 discipline [2] 93:21 94:1
 discoverable [2] 34:6 63:23
 discovery [3] 33:21 60:11 63:20
 discuss [2] 2:8 41:8
 discussed [3] 53:15 59:25 81:16
 discussing [2] 9:4 60:21
 discussion [2] 92:23 99:23
 dismissal [1] 91:25
 displaying [1] 96:12
 distribution [1] 70:20
 district [2] 1:5,6
 ditzler [1] 76:4
 dock [1] 18:21
 Jocked [11] 13:7,18,19 14:14 15:4 42:25 47:17,19 78:25 90:20 94:2
 docketed [1] 44:11
 docking [2] 40:15 49:22
 doctors [1] 9:9
 document [2] 68:4 77:18
 documentation [1] 23:15
 documentations [1] 45:3
 documents [5] 13:23 14:24 46:23 58:3,7 66:3 75:16 76:9
 doing [10] 8:22 9:14 32:4,22 59:11 78:14,16 85:22 92:14,16
 don [3] 1:13 60:20 81:24
 done [12] 5:22 6:21 13:9,15,16,22 54:9 61:18 62:24 64:16 79:21 82:6
 donna [2] 8:4 10:14
 door [21] 16:22 17:5,9,10 20:17 51:5 94:14,14,18,18 95:2,2,22,25 96:15,18
 97:7,8,25,25 98:13
 doors [7] 17:2 94:21,22 95:16 97:20,21 99:7
 down [10] 6:5 20:15,17 28:15 37:5 51:10 53:9 59:11 88:15 95:22
 drags [1] 64:5
 dreaded [4] 82:17,18,19,20
 driving [1] 84:17
 drop [1] 64:12
 due [1] 23:5
 during [8] 10:4 41:17 46:11 49:22 58:2,22 59:19,25
 duties [1] 9:20

E

e-mail [5] 15:23 68:24 70:22 72:25 74:13
 each [2] 19:1 28:20
 earlier [5] 2:7 19:12 20:23 21:2 52:11
 early [1] 15:10
 easily [1] 65:8
 educational [1] 82:22
 eeo [7] 17:23 18:16,24 19:3 32:12,16 51:25

effect [2] 16:15 73:10
 efficiency [1] 87:5
 efficient [1] 85:22
 eight [7] 10:12 13:19 14:15 18:22 26:1 44:15 89:24
 either [3] 3:8 29:13 35:23
 elected [2] 88:12 89:12
 ellen [1] 8:9
 employed [2] 4:5,18
 employee [2] 44:6 56:8
 employees [3] 24:23 28:12 94:21
 employer [1] 4:1
 employment [2] 16:6 94:24
 encourage [2] 62:23 63:22
 encouraged [1] 87:25
 end [2] 39:12 65:21
 endlessly [1] 64:5
 enough [1] 48:9
 entering [1] 73:23
 entertaining [2] 63:11,13
 entitled [1] 14:7
 environment [5] 15:15 24:20 25:18 55:11,13
 equals [1] 69:9
 establish [1] 37:10
 et [1] 1:9
 etc [2] 60:3 77:11
 europe [1] 5:4
 evaluation [2] 91:23 92:2
 evaluations [1] 91:22
 even [10] 15:23 30:21 39:23 41:16 44:2 49:3 60:1 63:7 66:6 97:2
 events [1] 42:23
 everyday [1] 82:18
 evidence [1] 59:3
 exacerbated [1] 12:8
 exact [5] 14:25 18:3,8,11 40:3 97:18
 exactly [4] 5:11 7:16 43:17 71:20
 examination [2] 2:16 57:3
 example [1] 48:15
 examples [1] 20:6
 except [1] 82:9
 exceptus [1] 2:10
 exchange [2] 49:15 97:9
 excited [1] 35:7
 excuse [1] 88:14
 exhibit [3] 22:17 39:11 86:14
 existed [1] 48:23
 expected [1] 50:10
 experience [4] 29:21,25 82:24 85:18
 explanation [1] 95:5
 explore [1] 64:19
 express [2] 85:16,24
 expressed [1] 15:12
 extend [1] 63:10
 extended [1] 31:22
 extent [1] 49:14
 extremely [1] 84:14

F

face [2] 73:24,24
 facilities [2] 23:3,4
 facility [1] 4:7
 fact [5] 13:6 14:13 15:13 24:2 65:12 80:20
 fact-finding [2] 67:20 74:17
 factious [1] 96:11
 facts [2] 3:13 43:20

P.R. VIDEO, INC

factual [1] 61:17
failure [1] 23:5
fairly [1] 55:9
ar [1] 36:15
fashion [1] 74:9
february [6] 7:21,22 17:16 18:12 52:7 55:24
federal [2] 5:3 90:9
feel [11] 15:14 22:23 41:5,24 42:9 52:16 55:7 61:21 63:6 75:3 90:10
felt [4] 14:4 24:16,18 26:16
fesko [1] 79:15
few [4] 15:5 43:20 57:4 90:15
field [3] 27:13 31:11 84:24
fifteen [2] 90:3 94:3
fight [2] 16:13 40:8
file [3] 18:25 19:3 40:12
filed [5] 18:16 19:5 59:20 62:17 67:15
files [1] 58:11
fill [3] 49:21 80:25 81:1
finally [2] 16:11 64:7
find [5] 26:3,18 46:13 70:17,21
finding [2] 9:24 80:20
fine [3] 62:9 64:23 67:8
finished [1] 86:20
first [37] 6:8 11:20,23 14:3,23 16:17,18 18:18 19:19 20:21 22:10 23:9 24:14 44:19 50:14 53:14 54:18 55:12 62:5 68:22 69:8,10 70:6 73:1,17,18 74:7 76:13 77:15,17 80:25 86:21 87:8 91:7,23 92:12 98:7
five [4] 5:8 11:1 12:4 73:23
folks [2] 39:5 83:19
follow [6] 23:5 44:4,6,9 45:13 97:14
followed [1] 24:2
following [2] 43:5 63:20
forced [2] 50:23 51:8
orcng [1] 44:4
form [3] 2:11 7:5 24:1
forward [1] 48:25
forwarded [5] 15:24 25:1 48:21 49:5 71:11
forwarding [2] 70:12 71:2
found [1] 78:3
four [6] 2:18 8:16 10:11,25 11:1 34:11
fourteenth [1] 12:9
fourth [1] 73:20
frame [2] 7:7 60:16
free [4] 3:4 12:13,16,20
freedom [3] 11:21 19:10 65:14
frequently [1] 39:21
front [2] 6:1,4
frye [50] 1:20,20 2:6,16 24:9 35:19 36:6,10,14 39:9 53:1,7,19,21 54:2,8,13,16,20,24 57:21 58:4,4,5,20 59:1,12,18,22 60:5,10,19,23 62:9,12 64:21 66:17 67:8,12,18 69:21 76:1 81:23 90:15 93:19 94:9,11 97:13 99:18,20
full [1] 3:22
functions [1] 8:20
further [2] 90:2 97:12

G

garage [2] 28:16 30:21
gave [6] 44:19,21 80:25 93:7 96:16 99:11
genie [3] 8:1 9:12 11:15
georgia [1] 69:2
getting [1] 70:25
give [9] 2:2 5:24 6:19 16:9 24:5 35:21 53:2 68:16 75:24
iven [11] 44:12 45:1,17,19 50:18 54:4 66:23 80:24 81:2 85:15 95:4
giving [1] 96:23
glaser [3] 76:22 79:10,15
glaser's [1] 76:19

got [13] 13:23 45:9 46:17 52:22,24,24 71:6 74:5,10 77:10,11 91:23,25
government [10] 5:4 25:3 27:10 31:1,3,9 51:15 63:12 89:2 90:9
great [1] 53:7
greatly [2] 65:14 88:23
gregory [1] 50:15
grievance [7] 40:12,18,19,21 59:20,24 60:2
grounds [1] 33:5
gs [1] 56:8
guess [8] 3:10 10:13 16:21 31:24 64:23 71:8 77:20 79:8
guidelines [1] 69:4
guys [1] 76:23

H

hadrick [18] 1:8 7:19 21:1 24:13 25:17 42:8,19 47:5 48:16 49:24 62:25 67:22 69:6 71:1 81:6 91:10 93:3 98:18
hadrick's [1] 27:22
hadricks [1] 49:17
hand [1] 67:17
handled [1] 81:17
handling [1] 69:17
handwritten [1] 92:18
happen [3] 17:12 18:2 97:15
happened [8] 12:22 17:21 21:5 32:13,18 42:23 46:13 62:14
happens [1] 65:1
happy [1] 60:25
harassing [1] 47:3
harassment [4] 12:7 42:12 44:1 70:9
hard [2] 62:22 65:16
harrisburg [2] 1:17,23
haven [2] 26:25 79:7
head [1] 98:16
health [2] 52:8 86:22
hear [2] 3:19 69:21
heard [4] 2:7 87:23 88:3,5
hearing [1] 38:11
help [1] 76:10
helpful [1] 85:21
herself [1] 30:15
hesitate [1] 53:10
history [1] 7:12
hold [1] 62:6
home [35] 9:3,5 21:18 22:9 23:10,11 26:7,9,10,15,24 27:14 31:5,13,19,21 41:21 45:9,18,20 46:10,19 47:9 48:3,12 76:6,7,24 79:7 80:1,7 85:3 87:20 88:14 89:17
homeless [4] 9:15,23,25 10:17
homes [28] 9:1 10:3,6,10,13 26:22 27:9 31:14 45:7,21 47:24 50:6 51:15 78:5,5,10,11 80:16 84:19,21 87:11,12,14,17 89:20 92:19 93:1 98:12
honest [1] 65:16
honestly [1] 35:23
hope [1] 64:12
horrible [3] 30:1 82:23,23
hospital [5] 4:8 38:3 72:14 78:20 88:16
hours [6] 5:5 13:19 14:15 18:22 31:12 89:24
hum [8] 11:13 37:17 52:15 67:23 68:11 70:24 77:1 83:11

I

idea [2] 60:5 64:2
identified [2] 34:10 35:12
identify [1] 76:10
immediate [2] 85:13 91:11
immediately [3] 28:24 42:20 78:3
implied [1] 48:4
imply [1] 48:6
implying [1] 63:3

P.R. VIDEO, INC

impose [1] 49:24
 improper [1] 34:4
 impute [1] 86:7
 inaccurate [1] 75:3
 incident [9] 17:25 18:17,18 19:2 41:12,13 47:15,16 49:22
 incidents [2] 7:4 18:19
 included [1] 22:6
 includes [1] 44:1
 including [1] 35:4
 incorrect [2] 44:20 80:24
 increased [2] 88:21 89:5
 increasingly [1] 82:25
 independence [2] 27:1,2
 indicate [1] 87:25
 indicated [5] 57:8 58:8 61:15 66:22 89:11
 indicates [2] 61:10,13
 indifference [1] 82:2
 individual [4] 24:2 45:23,25 68:7
 individuals [3] 34:8,12 70:10
 information [7] 12:11 34:6 46:18 63:23 72:18 78:18 79:6
 informed [2] 30:22 78:11
 initial [1] 14:21
 initially [1] 40:22
 innocence [1] 44:12
 inquiry [1] 57:13
 inside [1] 95:11
 insist [1] 66:9
 insists [1] 29:17
 inspected [1] 69:12
 instead [1] 85:6
 institution [1] 88:15
 instruct [1] 81:25
 instructed [3] 3:8 51:3 58:20
 instruction [1] 23:6
 instructions [2] 96:16,23
 intensity [1] 82:12
 interference [1] 12:14
 internally [1] 85:12
 interpretation [2] 65:5,22
 interventions [1] 9:7
 investigation [1] 14:15
 involved [2] 40:23 69:17
 isn't [1] 29:23
 issue [6] 35:6 40:13,15 60:1 63:15 81:13
 issued [1] 73:11
 issues [12] 5:19 9:5,10 39:22 41:8,15 59:24 64:25 81:11,14,18 86:7

J

january [1] 55:24
 job [6] 9:12 22:2 63:5 78:14,17 79:20
 joe [2] 79:10,15
 joyce [1] 69:12
 judge [6] 62:5,8,21 64:18 65:24 66:21 82:3 99:23
 july [7] 1:11 55:25 67:6 68:4,21 74:16 99:25
 june [5] 4:12 37:25 55:25 69:5 71:24

K

keep [7] 6:3 20:17 51:5 76:17 95:22,25 97:8
 keeping [2] 94:14,18
 kent [24] 1:9 2:5 11:23,25 12:19 15:6,9 16:3 38:13,15,20,25 39:16,20,23 49:2 52:1 70:13 71:3,5 83:13 85:14 86:1 92:22
 kent's [1] 83:2
 kept [2] 97:20 99:7
 kind [3] 3:18 7:11 16:10 49:10 66:24 70:20 89:10 97:6

knock [1] 97:25
 knowledge [3] 3:12 86:2,4

L

lack [2] 84:7 87:22
 lady [4] 28:21 29:5 73:7 99:14
 lady's [1] 98:10
 lancey [5] 8:1 9:12,17 10:6 11:15
 landis [1] 69:12
 last [2] 52:6 64:10
 late [1] 83:22
 later [5] 12:25 13:21 31:25 83:17 91:25
 latter [1] 56:2
 lawsuit [1] 38:17
 lawyer [1] 94:12
 lead [1] 34:5
 learn [2] 12:24 13:20
 learned [1] 15:3
 leave [3] 17:10 46:4 82:22
 lebanon [3] 4:6,8 87:3
 left [1] 46:6
 lesko [2] 79:11,15
 less [1] 85:8
 letter [53] 12:23 14:3,20,21,23 17:19 18:14,22 20:22 21:13 22:4,7,11,14,19, 22 23:23 24:4 35:14,16 36:23,25 37:10,16,19,24 38:2,4,5,7,14,16,21,24 39:2,17 41:2,24 42:1,9 43:13 52:12,14,18,21 53:10 54:18 77:7 86:17 89:23 90:1,2,19
 letters [7] 14:1,18 15:7 45:9 53:11 81:5 89:19
 level [7] 6:8 11:4 56:8,11,14,15 91:8
 life [1] 19:25
 limit [1] 75:21
 limitation [1] 63:15
 limitations [2] 64:1 65:12
 limited [2] 88:23 89:3
 limits [1] 65:14
 line [5] 31:23 65:19 66:8 69:11 92:12
 list [7] 50:19 68:1 70:19 71:10,13,15,18
 listed [1] 70:11
 listened [1] 16:8
 listing [2] 42:22 50:6
 litigation [1] 63:10
 little [2] 30:2 56:24
 livingston [2] 37:13 58:9
 located [1] 52:20
 locked [1] 98:1
 log [4] 45:4,8 93:8,12
 lola [14] 30:15 32:24 68:9 69:1,10,20,24,25 91:7,11 92:5 97:22 98:23 99:12
 long [7] 4:10,17 10:23 36:11 43:15 48:9 73:22
 long-range [1] 72:5
 longer [2] 4:23 46:1
 look [13] 6:5 12:3,4 46:24 53:13,18,24 60:15 67:2 75:17,23 76:8 95:15
 looking [3] 36:4 58:3 95:11
 lot [7] 7:8 9:6 15:19 27:19 31:13 85:23 90:11
 loudly [1] 3:18
 lounge [2] 76:21 77:3
 lynn [1] 69:2

M

made [19] 17:20,23 19:25 26:19 35:22 36:15,19,19 42:5 49:3 53:4 61:11, 17 62:19 73:7 78:4 84:12,14 92:25
 mailed [1] 93:5
 mam [1] 72:10
 management [1] 89:18

P.R. VIDEO, INC

management's [1] 87:4
 manager [2] 76:6 98:21
 managers [2] 16:2 86:12
 nanherisms [1] 20:4
 many [6] 10:6 18:24 19:4 28:1 48:11 80:2
 march [6] 15:1 22:25 23:1 43:9 55:24 89:16
 margin [2] 37:6,8
 mark [4] 6:10 39:11 53:8 55:5
 marked [3] 37:11 53:4 54:21
 marking [1] 22:16
 marks [6] 35:19,22 36:1,16 37:2,4
 martin [2] 76:20 77:2
 mary [1] 1:20
 materials [2] 93:21 94:7
 matter [1] 64:4
 mean [18] 20:24 26:9 28:14 29:20,23 31:3 40:20 44:7,15 48:16 50:8 58:25
 64:10 65:13 68:7 88:4 91:14 99:2
 means [2] 2:9 8:24
 meant [1] 8:25
 meet [5] 19:11,13 20:11 21:2,3
 meeting [7] 20:8 26:13 67:20 69:20,23 74:17 87:6
 meetings [2] 5:21 41:19
 memo [1] 31:24
 memory [1] 29:25
 memos [1] 81:9
 menacing [1] 70:8
 mental [2] 52:8 86:22
 mentioned [4] 10:14 28:12 49:20 69:7
 message [9] 15:23 33:23 48:18 50:2,4 68:24 70:18 74:13 82:19
 messages [18] 15:24,25 20:25 24:25,25 25:1,21,25 47:7 48:14,20 49:1,4,
 7,10 70:9,12,15
 messes [1] 70:22
 .middle [1] 1:5
 might [1] 52:24
 miller [2] 76:21 77:2
 mind [2] 13:14 65:17
 mine [1] 33:25
 minutes [3] 26:11 53:22 73:23
 misleading [1] 42:6
 misrepresentations [4] 47:3,4 48:1,15
 missy [5] 73:2,6,9,15,25
 modify [1] 63:24
 moment [2] 43:22 55:1
 month [2] 46:6 88:25
 monthly [3] 25:13 45:14,23
 months [3] 21:7 28:9 46:8
 morning [5] 27:15 28:20 31:20 68:24 83:1
 most [5] 17:3 66:19 78:16 85:20,22
 movement [1] 34:11
 mpsb [1] 67:14
 ms [18] 2:6,17 23:23 25:16 37:22 48:15 52:13 57:2,14,21 58:3,20 62:15,25
 69:9 89:11 90:17 94:11
 ms.wright [1] 55:3
 much [9] 16:24 30:3 55:10 70:2,4,5 82:8 85:15 86:12
 must [1] 50:8
 myrtle [2] 76:21 77:3
 myself [6] 2:22 16:13 40:8,9 58:4,5 86:10 88:4

N

name [15] 1:13 3:22 32:24 33:7,8,16 42:3 46:2 50:14 71:9,12 98:5,7,10 99:
 15
 names [1] 99:11
 nature [1] 82:16
 near [1] 27:17

necessary [2] 44:22 49:8
 need [12] 30:23 39:7 48:22 49:11 54:10 62:4 64:24 65:23 66:2 72:15,16
 85:16
 needed [2] 9:5,10
 needs [2] 5:21 87:6
 neidigh [2] 79:22 80:10
 never [7] 13:14 22:1 41:18 70:3,5 72:9 91:17
 new [2] 5:2 56:16
 next [4] 15:5 27:15 34:13 89:20
 nicely [1] 96:4
 nine [1] 12:5
 nobody [1] 44:16
 north [1] 1:16
 note [2] 6:1 76:15
 notes [1] 84:25
 nothing [4] 2:4 34:4 40:5 63:2
 notice [2] 43:7 94:2
 notified [1] 79:1
 noting [1] 68:25
 number [10] 1:10 24:15 45:21 53:5 60:12,12 83:8 87:9 89:4 90:10
 nurse [4] 6:14,16 98:11 99:14
 nursing [4] 21:18 22:8 23:3,10

O

object [9] 23:25 33:3,20 36:11,14 59:1,8 67:3 93:24
 objected [1] 59:3
 objecting [2] 59:7,14
 objection [21] 33:1,12,14 36:12 59:9 60:9,11,13,15,22 61:14,22 62:11,12,
 13 64:13,15 66:9,15 67:5 82:4
 objections [1] 12:10
 objects [1] 3:6
 obligation [2] 29:16 33:18
 obtrusive [1] 64:11
 obviously [2] 66:10 96:11
 occasions [5] 15:10 26:7 44:19 47:20 51:23
 occupation [1] 3:24
 occurred [3] 38:20 41:12 62:16
 offense [1] 96:12
 offensive [1] 63:9
 office [12] 17:7 20:9 28:20,23 39:21 50:23,24 51:3 73:24 96:14,22 97:24
 offices [1] 16:25
 okay [67] 2:14,17 3:17 6:3,17,21,25 10:19,23 11:14 12:3,16 13:13,14,17
 18:20 21:10 22:10,22 24:11 28:18 29:9 30:15,23 35:3,10 37:14 39:5,14,15
 42:4 43:22 44:10 45:11,24 46:24 47:13 48:13 51:7 52:16 53:23 54:2,14,
 22,23 56:10,22 57:1 59:12 60:14,15 63:16 64:20 66:18 67:19 71:22 72:20
 73:20 76:1,13 80:19 87:2 88:20 90:14 94:9 97:11 99:5
 once [1] 6:2
 one [24] 17:3,6 18:19 19:6 20:10 25:4 26:21 28:7,25 29:8 30:16 36:10 40:
 14 45:18 54:22 60:12 68:24 69:8,19 71:25 76:5,14,23,25
 ongoing [1] 70:8
 only [5] 28:7,9 34:8 54:22 86:10
 open [6] 17:11 20:18 51:5 95:2,23 96:2,15,18
 opened [2] 96:1 97:9
 openings [1] 39:25
 operation [1] 80:8
 operator [4] 1:3 46:14 49:8,9
 operators [6] 25:22 42:17 47:12 49:12 69:3 71:3
 opportunity [6] 41:7 45:17 59:2 74:4,8 85:16
 order [5] 54:1,3,7,17 64:15
 orders [1] 64:18
 other [48] 8:14,17 16:24 20:8 24:22,25 25:1,4,11 28:8,12 30:21 32:3 37:18,
 24 38:11 39:25,25 44:1,5 45:11 48:21 49:23 50:12 51:9,11,12,19 56:18 58:
 22,23 59:17,25 60:4 61:19,20 62:13 65:15 80:5 81:16 94:20,23 95:16 98:9,
 10,24 99:6,13

P.R. VIDEO, INC

others [1] 31:18
ought [2] 35:24 62:3
out [27] 3:7 8:25 9:23 16:13 26:3,18 28:11,17 31:17 40:9 46:13 49:21 52:8
54:1,16,23 70:17,21 78:3,4,10 80:25 81:2 84:18,22,23 98:11
outside [4] 55:1 63:14 65:6,22
over [11] 16:18 17:1,5,7 21:24 40:13 69:11,14 87:10,11 97:5
overtime [2] 45:15,19
own [2] 64:22 89:17
owner [1] 79:25

P

p.m. [2] 1:12 99:25
p.r. [1] 1:2
packet [1] 52:23
page [4] 12:3 43:23,24 74:1
pager [5] 72:6,23,23 73:22 74:1
pages [6] 72:7,9,22,23 73:4,9
paper [2] 5:25 95:8
paragraph [14] 12:12 43:23 46:25 49:16,25 50:20 51:1,1 69:7 76:19 86:
18,18 88:20 89:21
paragraphs [2] 12:4,18
parameters [2] 65:7 67:5
paran [1] 10:15
parcel [1] 61:20
pardon [1] 29:3
parents [1] 76:19
part [11] 7:24 32:12 34:3 38:10,19 51:11,25 53:4 56:2 61:19,19
participate [1] 66:11
participated [1] 50:21
particularly [1] 34:7
pass [2] 31:14 95:11
past [1] 88:25
patient [1] 10:22
patients [5] 23:4 45:22 48:5,11 72:14
pay [24] 12:24 13:7,18,19 14:16 15:4 18:21 40:16 42:24 43:2,4,5,7,11 44:
10 47:17,19 78:25 89:24,25 90:4,20 91:1 94:2
pearson [2] 79:11,16
pennsylvania [4] 1:6,18,24 4:6
people [22] 25:2 26:1,3,17 28:1,15 30:2 32:16 35:11,12 42:16 47:11 48:21
50:2 63:21 71:10 80:2,6 82:20 95:11,15 99:6
perform [2] 8:20 84:10
performance [1] 22:2
performed [1] 9:20
perhaps [1] 63:6
period [12] 8:1 10:4 18:4,5 27:12 43:2,4,5 45:18 46:11 66:5 75:13
periods [1] 99:4
permissible [1] 31:17
person [2] 29:8 72:18
personal [17] 9:4 10:2 23:11 26:6,15,21,22 27:9 31:14,21 45:9 47:9 76:5
80:1,15 87:12 92:19
personally [3] 3:13 50:21 69:17
persons [1] 44:2
pertaining [1] 14:3
petty [1] 94:16
philadelphia [1] 39:3
phone [5] 1:18,24 45:4 73:1 74:13
phrased [1] 3:3
pick [5] 26:4 31:9,16 65:18 84:17
piece [1] 95:8
pieces [1] 5:25
itch [1] 64:10
place [4] 14:9 53:25 61:9 75:24
placed [3] 84:4 85:6 89:1
places [1] 83:21

plaintiff [5] 1:7,15 7:1 12:6 34:9
plan [4] 63:7,8,13 89:19
plannings [1] 5:20
pleasant [1] 55:10
please [6] 2:21 3:21 6:11 34:21 76:9 86:15
plus [1] 45:8
point [11] 3:20 13:1,22 25:7 27:11 49:3 51:19 52:20 54:11 83:15 93:23
policy [1] 10:9
polite [1] 82:9
portion [1] 22:24
position [2] 7:14 56:16
positions [1] 39:25
poster [12] 17:9 18:1 20:15,16 51:4 94:13,17 95:1,7,21 97:7 98:12
posters [3] 17:1 94:21 97:20
preceded [2] 96:21,24
precipitated [1] 96:21
preferable [1] 35:24
present [5] 5:13 68:9,10 86:3 91:16
presented [3] 68:12,14 96:5
presently [1] 5:14
pretty [4] 65:25 70:2 86:12 94:16
previously [2] 23:17,18
prior [2] 7:22 31:7
privacy [4] 16:24 17:2 95:13,14
private [1] 23:3
probably [2] 36:6 75:11
problem [1] 22:1
problems [3] 88:13 89:14 90:7
procedures [3] 44:5,8 50:24
proceed [1] 64:14
proceeding [1] 39:12
process [1] 60:3
product [2] 31:23 60:2
program [6] 9:23 10:18 19:15 21:20 69:4 85:19
programs [1] 87:4
proof [1] 92:21
proposal [1] 90:22
propose [1] 82:10
proposed [7] 23:8,14 90:3 91:25 93:21,25 94:3
prove [1] 44:11
provide [5] 9:25 38:1,6 86:7 87:19
provided [4] 14:12 21:24 36:4 88:8
psychiatry [2] 5:16 80:17
psycho [1] 5:17
put [9] 6:1,4 7:6 25:25 43:12 54:6 59:2 62:6 75:23
putting [1] 17:4

Q

question [16] 2:11 3:2 13:9 17:24 21:8 33:20 34:4,25 39:15 66:5 68:22,23
70:6 81:22 83:23,24
questionnaire [3] 45:2 66:24 80:23
questionnaires [3] 44:13,17 49:21
questions [38] 2:23 3:11,14,15 7:4 24:1,2 25:15 30:8 33:15 36:17 44:16,
24 57:2,5,20 58:22 59:15 60:7,17,24 61:4,5 64:9 65:20 66:7,23 67:4 68:2,
3,5,13 72:16 83:7 86:20 90:16 94:13 97:10
quick [1] 54:25
quickly [2] 2:19 76:9
quite [1] 96:3

R

raised [3] 65:1 73:12 81:15
rambo [6] 62:5,8,21 66:21 82:3 99:23
range [1] 73:22
ratcloth [2] 50:13 52:4

P.R. VIDEO, INC

ray [19] 1:9 11:22,25 12:19 15:6,9 16:3 38:12,15,20,25 39:16,20,23 49:2
 52:1 70:12 71:3 92:22
 re [1] 79:9
 each [1] 72:22
 read [5] 22:24 72:11,23 76:13 86:16
 readily [1] 78:18
 reading [2] 68:15 72:25
 ready [1] 64:14
 realize [2] 33:19 53:16
 really [7] 2:9 16:8,9 37:9 64:12 70:4 91:17
 reasonable [1] 63:19
 reassigned [1] 83:20
 recall [24] 7:18 14:25 18:3,6,8,10 19:4,7 20:7 21:4 29:20,25 35:16 37:18,
 23 41:11 42:24 43:1,16,17 46:20 52:3 58:1 96:18
 recalling [1] 29:22
 received [15] 16:1 26:8 27:3 31:24 43:6,7 45:7 49:2 52:13 57:13 58:8 72:
 9 73:19 77:20 89:22
 receiving [4] 12:8 14:6 20:24 90:1
 recent [1] 88:25
 recognize [1] 36:22
 recollect [2] 83:5,12
 recollection [3] 58:6,16 67:19
 record [6] 3:22 61:10 75:15 76:11 81:23 86:18
 refer [4] 43:18,22 47:15 49:25
 reference [4] 6:20 12:18 58:7,12
 referred [3] 48:13 59:16 92:17
 referring [4] 20:13 47:16 49:11 50:25
 reflected [1] 93:8
 refusal [1] 41:14
 refuse [1] 29:18
 refused [2] 19:22 20:11
 refusing [1] 29:19
 regarding [6] 7:4 13:5 14:21 15:25 19:14 25:15 39:22 77:24
 regards [1] 79:20
 regional [1] 39:4
 regular [1] 83:8
 related [6] 5:22 13:4 14:13 16:7 36:17 64:9
 relating [1] 43:20
 relevant [2] 66:4 75:20
 rely [1] 3:12
 remarks [1] 2:13
 remember [26] 6:2 18:15 20:5 21:11 40:3 51:9 57:6,24,25 58:11 66:25 67:
 16,22 71:17,20 73:16 76:12 77:14 83:9 93:4 95:24 96:19 97:17 98:6,10
 99:15
 repeat [1] 2:22
 rephrase [1] 3:5
 replied [1] 23:1
 reply [5] 57:13 61:11,14,15 75:2
 report [2] 44:3 49:20
 reporter [4] 1:1 2:1 3:19 99:24
 reporting [5] 44:5,8 45:12 49:18,23
 reports [1] 50:17
 represent [1] 1:15
 representations [1] 61:17
 representative [1] 89:13
 representatives [1] 88:12
 representing [1] 1:21
 represents [1] 79:20
 reprimand [1] 18:23
 reprimanded [3] 25:10 51:14,18
 requested [1] 70:10
 required [3] 45:13 50:8 84:10
 requirements [3] 45:12 49:19,23
 requiring [1] 27:5

rescinded [2] 93:22 94:5
 reside [1] 27:18
 residential [4] 9:15 10:17 21:20 69:4
 resolution [1] 56:18
 resolve [1] 62:8
 resolved [2] 40:19,23
 respect [4] 59:9 62:11 64:15 66:15
 respectfully [1] 61:23
 respond [18] 13:13 21:9 33:2 34:25 40:2 44:13,17 45:2 48:17 57:10,12 58:
 21 64:25 68:17 73:8 74:4,8 90:5
 responded [13] 21:15 23:13 24:24 44:23 58:17 68:18,22 72:24 73:1,22
 74:12,24 97:3
 response [17] 14:19 21:16 37:20,21 40:4 42:2,2 48:20 57:7,20,23 63:16
 68:21 70:6,7 72:11,21
 responses [1] 81:8
 responsible [1] 10:7
 restored [4] 43:12 47:18,20 91:2
 restrictions [2] 85:6 89:1
 result [3] 23:7 40:24 85:10
 retaliated [1] 52:17
 retaliation [3] 62:20 63:16 65:9
 return [2] 47:22 72:6
 review [1] 23:3
 rights [18] 12:1,10,13,15 15:7 16:17 19:20 20:21 22:23 23:24 24:3,14,17
 39:19 41:5,25 42:10,11
 role [2] 14:11 92:9
 room [2] 16:20,21
 roughly [1] 67:6
 ruling [1] 65:24
 ruth [2] 30:17 33:12

S

salary [1] 56:21
 same [13] 9:13 11:16 33:11 45:1 50:19 56:8,11,20,23 71:7 75:13 79:7 80:
 23
 sammi [19] 1:7,15 3:23 6:2 30:5 59:15 61:13,15 68:2 76:16 78:8,12,15 79:
 9,13,21 85:10 94:15 95:21
 sammi's [1] 79:17
 sanctionable [1] 63:7
 santano [1] 46:2
 save [1] 62:7
 saw [1] 77:15
 saying [4] 29:15 39:6 45:10 64:3
 says [6] 22:20,25 23:13 64:18 79:6 89:16
 sazbo [12] 1:9 20:19 21:2 22:21 23:23 37:22 41:23 57:14 61:11 75:1 87:
 24 89:11
 sazbo's [2] 52:14 71:12
 schedule [1] 68:25
 scheduled [2] 64:6,8
 science [1] 52:9
 scott [12] 1:9 16:16 17:6 32:25 77:23 91:7,19 92:4 97:23 98:14,20,23
 scott's [1] 92:5
 scrutinizing [2] 30:17,18
 scrutiny [3] 24:21 25:20 27:5
 sea [1] 35:5
 second [9] 5:24 11:3 38:5 52:12 65:4 76:18 81:13,15 88:20
 secretary [6] 72:1 97:22 98:3,4 99:12,13
 see [6] 5:18 7:10 22:5 35:25 36:8 39:3
 seems [1] 64:3
 seen [10] 6:22,24 22:11 44:22 45:22 48:12 77:18,19 87:3 89:4
 selectively [1] 61:22
 senator [22] 12:23 15:8 17:19 18:14 21:15 22:20 35:15 37:16 52:12 57:6,
 9,9,16 60:18 61:7,12 63:17 79:2 86:17 90:6,19 91:1
 senators [1] 88:1

P.R. VIDEO, INC

send [1] 50:3
 sending [1] 68:23
 sensible [1] 65:25
 ent [22] 12:10 15:23 35:14 37:10,12,21,24 38:14,16,21,24 39:17 49:9,12
 54:5 70:9 71:5,8,9 75:2,21 77:7
 sentence [1] 86:21
 separate [4] 14:18 26:7 44:12,18
 september [7] 55:15,16,22 56:1,2,6 67:10
 serve [3] 70:20 84:13,15
 service [2] 21:23 72:2
 services [14] 10:1 13:5 14:4,5,5,7,12 21:25 72:19 83:14 86:23 87:19 88:
 24 90:12
 serving [1] 87:1
 seven [3] 10:12 26:1 50:2
 several [4] 15:9 16:10 51:23 97:23
 share [1] 62:21
 shared [4] 15:19 23:17,18 67:21
 she's [2] 53:24 81:24
 shock [1] 97:3
 shortage [1] 84:9
 shortly [4] 15:1 17:13,15 51:22
 show [2] 22:4 45:5
 showed [1] 45:6
 shreve [16] 1:9 16:16 17:6,25 19:8,23 41:4,6 50:21,22 77:23 91:19 92:4
 95:19 98:14,20
 shuey [3] 71:24 72:8 73:21
 sign [1] 91:19
 signed [4] 37:22 41:18 42:3 92:3
 significance [1] 94:17
 similar [1] 95:16
 since [2] 56:12 62:4
 sincerely [1] 79:22
 sir [1] 86:21
 sit [2] 65:17 66:12
 six [1] 80:4
 sixth [1] 1:17
 small [2] 16:22 95:10
 soc [1] 79:14
 social [29] 3:25 4:20,23 5:17,19,22 7:17 8:17 10:11 11:9,18 21:25 25:4,12
 28:8,9 30:22 32:3 45:16 50:12 51:12,12 84:4 86:6,11 87:2,9,13 98:24
 somebody [3] 30:8 63:11 99:2
 someone [4] 33:16 38:7 57:22 72:17
 sometime [3] 43:9,13 83:22
 somewhere [2] 18:5 39:5
 soon [1] 42:18
 sorry [10] 6:15 8:3,7,9 17:22 41:10 50:22 69:21 78:9 79:15
 sort [1] 83:21
 sounds [1] 94:15
 space [1] 95:18
 specific [6] 2:24 12:3,17 25:15 28:14 43:20
 specifically [7] 20:7 25:16 27:25 28:7 38:23 41:22 49:13
 spector [32] 12:11,23 13:2 14:2 15:8 17:19 18:14 21:14,14,15 22:20 35:
 15 37:16 40:25 43:14 52:12 57:6,9,10,17 60:18 61:7 63:18 74:21,23 75:2,
 7 79:2 82:13 86:17 90:19 91:1
 speculate [1] 71:17
 speech [4] 11:21 12:16,20 19:10
 spell [1] 6:11
 spend [1] 92:13
 spent [1] 92:16
 spoke [3] 25:8 52:1 92:22
 sponsors [4] 9:5 26:16 45:10 47:10
 spying [2] 24:23 28:13
 staff [6] 44:2 84:9 87:5 88:10,22,24
 standing [1] 73:24

star [1] 37:5
 stares [1] 82:20
 stars [1] 37:7
 start [1] 55:12
 started [2] 4:12 68:15
 state [8] 3:22 5:2 34:2,22 47:1 49:17 50:20 90:2
 stated [5] 14:10 21:21 39:20 69:3 74:14
 statement [1] 73:8
 statements [2] 42:5 60:3
 states [2] 1:4 33:10
 stating [1] 33:24
 station [1] 69:1
 statute [3] 63:14 64:1 65:11
 stenographer [1] 1:12
 step [2] 56:25,25
 stepped [1] 56:12
 still [8] 25:5 56:7,10,20 80:8,10,13 84:10
 stipulations [2] 2:8,14
 stood [2] 17:7 97:5
 stop [3] 2:21 5:23 32:22
 stopped [2] 12:24 32:5
 storage [1] 16:21
 street [2] 1:17,23
 stressful [2] 24:19 25:18
 strike [2] 50:22 81:22
 stuff [1] 53:16
 subject [4] 47:5 65:21 75:15 99:22
 subjected [2] 47:2 49:18
 submitted [4] 93:2,5,20 94:6
 substance [2] 10:22 81:12
 substantive [1] 81:14
 sue [2] 34:14 35:4
 sued [1] 34:11
 sunshine [1] 79:18
 superiors [1] 78:19
 supervise [1] 8:14
 supervised [7] 8:19 9:11 10:5,20 11:2,15 42:19
 supervisor [16] 6:8,9 7:20,23 8:13 11:4 32:11 55:5,8 69:11 91:8,12 92:12
 98:2,15,19
 supervisor's [1] 23:6
 supervisors [5] 25:7 29:1 32:8,17 85:13
 support [2] 23:15 87:22
 supports [1] 88:11
 suppose [1] 25:3
 supposed [3] 17:10 25:11 92:11
 suspend [4] 53:20,24 55:2 90:23
 suspended [3] 61:16 91:4 100:1
 suspension [2] 90:3 94:4
 swear [2] 1:12 2:1

T

talked [4] 30:6 32:20,21 76:20
 telephone [9] 42:15 45:8 47:12 69:2,13 71:3,25 93:9,14
 tells [1] 93:15
 ten [1] 50:9
 term [1] 73:15
 termination [1] 92:1
 terms [15] 14:11 19:14,15 45:14 47:7,8,10 50:4,10 65:19 87:9,15,18 91:18
 94:24
 terrace [2] 27:1,2
 terry [1] 79:22
 testified [8] 32:2 37:15 52:11 55:4 86:1 88:18 89:7 91:6
 testifying [2] 71:4 83:13
 testimony [8] 2:2 14:17 69:16 83:2,6,10 87:23 88:7

P.R. VIDEO, INC

texas [1] 63:1
 thanks [1] 53:1
 there's [2] 37:5 51:19
 hird [1] 44:2
 thirty [2] 12:5,12
 thoroughness [1] 79:17
 though [1] 66:14
 threat [1] 34:15
 threatening [1] 97:6
 three [3] 8:16 21:7 28:9
 timeframe [1] 52:4
 title [4] 6:13 8:12 92:6,7
 titled [1] 1:7
 today [4] 39:12 76:17 88:3 89:7
 today's [1] 1:11
 together [1] 13:23
 togethers [1] 86:5
 tomorrow [2] 62:2,7
 took [4] 31:18 61:9,13 88:4
 torment [1] 43:25
 total [1] 80:6
 towatter [1] 98:6
 track [1] 76:18
 transfer [5] 28:11 39:23 51:21 52:5 56:15
 transferred [3] 15:16 40:1 51:24
 transportation [3] 26:3 42:16 47:11
 traumatic [1] 29:21
 travel [1] 89:5
 tread [1] 82:4
 treated [6] 15:13,22 19:16 24:21 55:9 82:12
 trial [1] 2:11
 'ried [2] 64:7 72:4
 .rue [1] 42:6
 truth [3] 2:3,3,4
 try [6] 2:23 3:5 7:9 62:23 64:4 75:20
 trying [3] 7:6 9:25 99:5
 twenty [4] 12:5 21:24 80:7 87:11
 two [24] 12:25 13:21 14:1,18 15:2 21:6 26:7 34:8 43:2 44:12,18 46:7 47:20
 49:20 60:13 65:11 67:23,25 75:22 76:9,12 84:19 87:13 91:24
 type [2] 14:15 87:18

U

u.s [1] 1:21
 uncomfortable [1] 20:1
 under [6] 9:17 10:16 27:24 31:22 55:7 66:20
 understand [13] 3:1 30:5,12 34:1 47:14 59:6,13 61:21 62:25 65:4 66:16
 75:3 82:7
 understandable [1] 2:25
 understanding [6] 2:21 29:15 57:19 61:4,8 63:1
 unfair [1] 61:24
 unhappily [2] 66:18,19
 union [2] 40:20,22
 unit [23] 15:11,17 16:2,12,19 17:14 21:7 24:18 27:8,8,24 28:2,3,4 31:8 39:
 22,24 40:10 42:21 51:21,23 86:9 92:10
 united [2] 1:4 33:9
 unlawful [1] 12:14
 unlawfully [1] 12:8
 unless [1] 30:8
 unlocked [8] 20:18 51:5 94:14,19 95:23,25 96:2 97:8
 unmarked [1] 36:2
 inpleasant [2] 15:21 24:19
 until [7] 2:11 23:19 25:6 51:16 62:7 66:20 90:4
 up [13] 6:3 24:3 26:4,18 31:10,16 42:20 46:15 65:21 73:17 81:19 84:17 97:
 14

upheld [1] 61:15
 using [1] 25:5
 usual [2] 2:8,13

V

v.a [21] 4:8,16,18 5:1 7:12,14 8:21 10:1 11:7 14:9 23:4 26:12,18 27:20 31:
 15 38:2,7 45:5 47:22 79:14 85:12
 vamc [1] 87:3
 various [3] 14:8 15:25 81:9
 vehicles [1] 89:3
 verify [2] 13:24 79:12
 verifying [1] 78:6
 versus [1] 1:8
 veteran [2] 14:5 84:13
 veteran's [9] 4:2 5:12 33:9 57:21,22 78:20 87:6 88:8,13
 veterans [23] 5:18 9:1,24 13:5 14:6,12 72:19 76:25 77:3 79:19 80:5 84:15
 85:8,9,17 86:23 87:1,12,20 88:16,24 89:4 90:8
 video [3] 1:2,3 99:24
 views [1] 85:25
 violate [6] 11:23,25 12:19 15:6 16:16 24:3
 violated [11] 11:22 12:13 19:9 20:20 22:23 24:13 39:18 41:5,24 42:10,11
 violates [1] 23:24
 violation [4] 12:9 19:19 21:13 24:16
 visit [4] 23:2 26:23 50:7 87:17
 visited [2] 84:21 89:20
 visiting [6] 9:1 10:2,8 47:24 48:3,5
 visits [9] 16:11 25:11,13 26:19 31:13,19 45:15,20 89:18
 voice [1] 6:3

W

waive [7] 2:10 60:8,10,13,14 82:5,8
 walk [1] 7:11
 walked [1] 96:17
 wall [2] 26:15 81:4
 walnut [1] 1:23
 wanted [4] 26:12 37:9 40:10 51:20
 wants [1] 75:18
 ward [2] 5:17 80:17
 waste [1] 65:19
 watch [1] 28:21
 watching [5] 30:9,16 34:10 42:14 44:3
 watchings [1] 30:19
 way [25] 3:3 15:12 19:15 20:4 31:20 34:17,20,21 35:13 47:25 48:2 52:7 67:
 14 82:15 83:14 84:22 85:22 89:6 95:12,15,17 96:6,10 97:4,6
 ways [1] 75:4
 week [1] 5:8
 weekly [1] 50:6
 weeks [6] 12:25 13:21 15:2,5,10 43:2
 whatever [6] 5:21 15:3 21:23 81:9 93:7 95:12
 whereas [1] 84:18
 whether [5] 18:6 25:23 56:20 58:17 59:23
 whispers [1] 82:21
 who's [1] 27:25
 whoever [1] 42:2
 whole [1] 2:3
 whom [2] 77:22 79:11
 will [22] 2:22,23 3:5,7,7 22:16,17 24:9 34:14 56:5 62:11,20 64:13,14 66:13,
 19 75:20,24 76:10,13,18 86:20
 william [1] 37:13
 window [5] 16:22,23 18:2 51:4 95:10
 windows [4] 16:25 17:1 95:17 99:8
 withdraw [2] 33:4 61:24
 withheld [1] 31:23
 within [9] 15:5,10 18:4 21:6 44:24 63:25 65:11 73:23 80:13

P.R. VIDEO, INC

without [5] 14:14 78:25 81:12 90:4 94:2
witness [1] 60:19
word [1] 73:5
ords [1] 94:23
work [19] 3:7 4:14 5:6,16,22 11:18 13:24 15:14 25:17 36:10 45:17,20 46:9
 51:16 60:2 82:6,17 85:7,8
worked [9] 4:10 5:1,2,3 10:21 27:9 85:19 90:9 99:14
worker [14] 3:25 4:21,23 7:17 21:25 28:8,10 45:16 50:12 51:12,13 86:11
 87:2 98:25
worker's [1] 11:9
workers [10] 8:17 10:11 25:4,12 30:22 32:3 84:5 86:6 87:10,14
working [7] 9:22 28:5 31:11 55:13 62:22 82:25 85:18
workload [1] 88:22
worse [1] 82:25
worth [1] 61:8
wright [20] 1:7,16 2:6,17 3:23 6:7,22 34:22 35:1 36:22 57:2 59:15 61:13,
 16 62:15 76:16 79:9,14,21 90:17
write [4] 36:25 57:16 58:14 88:1
writing [5] 52:17 57:6 68:19 76:15 88:11
written [6] 14:20 46:22 51:10 57:8 81:10,10
wrote [17] 12:22 14:1,18 17:18 18:13 20:22 37:15 42:2 52:11 53:12 57:5
 74:20 75:6 81:5 82:13 90:18,25

Y

yeap [2] 77:14 99:20
year [5] 7:18 56:4,5 65:11 83:17
yearly [1] 91:21
years [5] 4:19 10:25 11:1 21:24 90:10
york [1] 5:3
yourself [1] 81:17

end Vol I
 7-9-02

Begin Vol II
 9-12-02

VIDEO DEPOSITION OF SAMMI WRIGHT

*Continuing Dep
Sammi Wright on
9-12-02*

SHEET 1 PAGE 1

1 Video Operator: Good morning
2 ladies and gentlemen, let me advise you
3 that the video is now on. And today's
4 date is September 12th, 2002. My name
5 is Albert Rodriguez, my address is 4146
6 Spruce Park, Lebanon, PA 17046. I have
7 been hired by PR Video to take this
8 video deposition. This case is in the
9 United States Court for the Middle
10 District of Pennsylvania, it is docketed
11 at 1CV:00-1657. Caption is Sammi D.
12 Wright vs. Beulah Hadrick, Charlene
13 Szabo, Scott Shreve and Ray Kent. The
14 deponent is -.

15 Bailey: It's Sammi D. Wright. W-R-
16 I-G-H-T.

17 Video Operator: Sammi D. Wright.
18 Mrs. Wright, do you swear to tell---

19 Frye: No, you---

20 Bailey: It doesn't make any
21 difference who swears it.

22 Video Operator: Do you understand
23 that this is a legal proceeding and do
24 you swear to the truth of the answer on
25 the questions of you?

PAGE 2

1 Wright: I do.

2 Video Operator: Will counsels
3 please identify yourselves and provide
4 your address and phone number for the
5 record.

6 Bailey: Sure, my name is Don
7 Bailey. I am counsel for the plaintiff
8 in this matter, Sammi D. Wright. My
9 address is 4311 No. 6th Street,
10 Harrisburg PA 17110, (717) 221-9500.

11 Frye: I'm Mary Catherine Frye,
12 assistant US attorney. I am the counsel
13 to the defendants whose action. My
14 address is 228 Walnut Street, Harrisburg
15 PA 17108. My phone number is (717) 221-
16 4482.

17 Bailey: I know there was a
18 reaction when Mr. Rodriguez swore. Do
19 you want to re-swear?

20 Frye: Oh no.

21 Bailey: It doesn't matter.

22 Frye: That's fine with me. I
23 didn't mean---

24 Wright: I'd like to go on the
25 record now. This is a continued

PAGE 3

1 deposition. We are continuing the
2 deposition of Ms. Wright of July
3 9th, 2002.

4 Bailey: In that regard Cathy, I
5 don't want to go back and revisit
6 everything. Although I do have a number
7 of questions for Sammi and of course you
8 have a chance to come back and ask
9 additional questions. But if we can
10 avoid going over that ground, I'd
11 appreciate it.

12 Frye: Sounds good to me. Okay,
13 Ms. Wright do you recall your prior
14 deposition in this case?

15 Wright: Yes, I do.

16 Q: And do you recall that I were
17 to ask you questions and that you were
18 to answer them orally, if you don't
19 understand a question, you should tell
20 me so and I will rephrase it. If you
21 don't know the answer to a question, say
22 that you don't know. Do not speculate
23 and your counsel may object to some
24 questions, umm, he will put an objection
25 on the record if he does, it's just

PAGE 4

1 appropriate, but you should still answer
2 the question unless he directs you not
3 to. Okay I'd like to begin by asking
4 you, at your last deposition, you
5 testified that you had a chronological
6 list of everything that has happened to
7 you while you were working in the
8 extended care unit. Do you have that
9 list with you today?

10 A: Yes I do.

11 Q: Can I get a copy of that list
12 before we leave today?

13 A: Yes you can.

14 Q: Is that okay Don?

15 Bailey: Ah, sure.

16 Q: Thank you.

17 Bailey: I would object to the
18 characterizations of you know, whether
19 it's all inclusive. A copy of whatever
20 you have, you know which is to say that
21 you may wish to, or if you can,
22 supplement it. Maybe lay a little
23 foundation for it though. Does it have
24 dates on it and that sort of thing?

25 A: Yes there are dates for

VIDEO DEPOSITION OF SAMMI WRIGHT

SHEET 2 PAGE 5

1 different things that occurred.
 2 Bailey: And when did you make it?
 3 A: When did you actually start? I
 4 started this umm, on 3/17.
 5 Bailey: And when did you type it
 6 up? When did you last add to it?
 7 A: The last date, well actually,
 8 after the 12th of the 1/8, when I
 9 received my removal. That was the last.
 10 Bailey: Okay, that's fine, thank
 11 you.
 12 Q: Do you have any other notes or
 13 diary entries that were, that you have
 14 made concerning the facts that formed
 15 the basis for this complaint?
 16 A: Yes, I think they're all here.
 17 Q: Have you provided those to
 18 either Mr. Bailey or myself as of this
 19 date?
 20 A: I'm not sure.
 21 Bailey: I believe so, you'd have
 22 to be a little more specific. I think
 23 in our last meeting, to try to, you
 24 know, she thinks there are more, and I
 25 think there are more too. She may have

PAGE 6

1 presented documents, one of the
 2 disadvantages I'm at is that I did not
 3 get any, Mr. Millings did not send
 4 anything in the other case that we are
 5 going to be discussing here. And I
 6 think that's, that document that you
 7 have there, that was one that you were
 8 going to provide me there. That came
 9 from the other case.
 10 Frye: This is my, this is my
 11 discovery index. And my problem here is
 12 that I have outstanding discovered that
 13 umm, let's see.
 14 Bailey: Let me just---
 15 Frye: I, I, I---
 16 Bailey: I'm sorry.
 17 Frye: In that discovery, I
 18 requested documents such as notes and
 19 diaries. And that's what I'm trying to
 20 establish, is that I would like to have
 21 copies of those.
 22 Bailey: Sure.
 23 Frye: The things that I asked for
 24 at the discovery.
 25 Bailey: Sure, you should have but

PAGE 7

1 we've also, on the discussion have gone
 2 over that there was some type of a,
 3 brief with documents that would, that
 4 was right. And you were going to
 5 provide a copy of that. I've never, and
 6 that was just another thing that we
 7 discussed. Just to let you know I
 8 appreciate it.
 9 Frye: Okay.
 10 Bailey: Secondly, umm, in fairness
 11 to you, if I can, correct me if I'm
 12 wrong. At the deposition, there were
 13 some letters exchanged, I believe copies
 14 of letters I believe copies of letters
 15 that went to Arlen Specter and I think
 16 we provided those. Or I hope if you
 17 don't have, I'll try to get those for
 18 you again. I'm a little disorganized
 19 here. I don't know---
 20 Frye: Okay.
 21 Bailey: And then if not, I'll be
 22 happy. I will go through things again
 23 and make sure, okay?
 24 Frye: Sure. Okay.
 25 Bailey: Sammi, what are you--- let

PAGE 8

1 me say something to you. There may be
 2 things that Cathy may want access to,
 3 normally I didn't have or didn't have
 4 everything like maybe, in that case,
 5 that you did yourself, okay. We need to
 6 make sure, you and I will check closely.
 7 If I had known in advance Cathy, I
 8 apologize to you, I'd be happy to go
 9 with this some more. But as you ask her
 10 questions, just make sure we produce
 11 that stuff and we'll find it, okay? So
 12 there may be some things Cathy that I
 13 don't have either.
 14 Frye: Okay.
 15 Bailey: Okay?
 16 Frye: Yup. Okay, Ms. Wright, I
 17 want to take you back to the period from
 18 March 2000 through May 2000, which as I
 19 understand your previous testimony, was
 20 the time period in which your pay was
 21 docked and then restored and then which
 22 you sent a letter to Senator Specter.
 23 Now, do you agree that that, that was
 24 the time period in which those events
 25 occurred? That would be March through

VIDEO DEPOSITION OF SAMMI WRIGHT

SHEET 3 PAGE 9

1 May of 2000.

2 A: Um-hum.

3 Bailey: You have to answer
4 verbally.5 Q: All right, at that time, about
6 how many personal care homes were you
7 responsible to visit?8 A: Ah, I would say about twelve or
9 thirteen.10 Q: And about how many veterans
11 were living in those personal visits?

12 A: Ah, about a hundred and ten.

13 Q: Now how many personal care
14 homes, at that time, March through May
15 of 2000, how many personal care homes
16 did you visit on a typical day?17 A: Ah, anywhere from three to
18 four, depends on the geographical
19 location of the homes.20 Q: And, so, can I infer from that
21 that you would visit from fifteen to
22 twenty in a week?

23 A: Not necessarily.

24 Q: Oh, okay, how many in that
25 case, how many would you visit in a

PAGE 10

1 typical week?

2 A: There were times when ah, one
3 home would be visited twice, perhaps in
4 a week, depending on the situation.
5 Because I have larger homes, homes were
6 there are more than twenty veterans.7 Q: Okay. Umm, can I ask you then
8 about how many personal care homes would
9 you visit in a typical week?10 A: Umm, I would say, perhaps, ten,
11 maybe ten.12 Q: Now, ah, did you visit each of
13 the---14 A: My next one will be different
15 homes, but one home with a large
16 population may have two or three visits
17 a week.18 Q: I see. Thank you. Did you
19 during the period, from March through
20 May of 2000, visit each of the personal
21 care homes that you were responsible
22 for, at least once a month?23 Bailey: I apologize, I didn't
24 catch that.

25 Q: Okay. In the period from March

PAGE 11

1 through May 2000, did you visit each of
2 the personal care homes you were
3 responsible for at least once month?4 Bailey: Objection, you may
5 respond.6 A: As I recall, I visited, I would
7 say 99% of the homes, yes.8 Q: So there were some homes that
9 you did not visit once a month?10 Bailey: Objection, you may
11 respond. Objection to the form of that
12 question, you can substitute to the
13 form. You can respond.

14 A: What was the question again?

15 Q: I said, so there were some
16 homes that you did not visit once per
17 month during that period?18 Bailey: Objection, form of the
19 question may respond.

20 A: Are you saying I can respond?

21 Q: Yes.

22 A: During the period of March, to,
23 when was that again?

24 Q: May of 2000.

25 A: March, through May, there may

PAGE 12

1 have been homes in, may have been two or
2 three homes that were not visited.

3 Bailey: Objection withdrawn.

4 Q: Now I believe that you
5 testified a moment ago that you were
6 responsible for visiting approximately
7 one hundred ten veterans during this
8 period. During this period were there
9 any veterans assigned to you whom you
10 did not visit at all between, in the
11 period from March through May of 2000?12 A: I think you just asked that
13 question?14 Q: No, I asked homes, this is any,
15 any veterans that you did not visit.16 A: Well the veterans would be in
17 homes.18 Q: Okay, about how many veterans
19 did you not visit in the period from
20 March 2000 through May 2000?21 Bailey: Objection to the form of
22 question, you may respond.

23 A: I can't, I can't recall.

24 Q: Can you give me an
25 approximation?

VIDEO DEPOSITION OF SAMMI WRIGHT

SHEET 4 PAGE 13

1 A: I know out of a hundred and ten
2 veterans that were three to four homes
3 that were, had one veteran in each home.

4 Bailey: Are you saying that there
5 were three or four homes that had one
6 veteran?

7 A: One veteran in each home that
8 may not have had.

9 Bailey: Okay, thank you.

10 Q: Now in the period, in the
11 months preceding March of 2000, that is
12 to say from January through March of
13 2000. January, February of 2000, about
14 how many veterans assigned to you that
15 you did not visit in those months?

16 A: Ah, I would say maybe, three or
17 four.

18 Bailey: Let me place, just so that
19 I don't interrupt you anymore Cathy, as
20 little as possible. I think we're just
21 going back and taking advantage of the
22 deposition to go over areas that you
23 were aware or should have been asked on
24 time periods before. Naturally you're
25 going to respond, I'll let you respond.

PAGE 14

1 But I would just like to ah, ah, place
2 an objection for the record for this
3 reason. If we're going to do this, I'm
4 going to consider my right to access
5 some of the other, and I think our
6 discovery runs out, it might be
7 tomorrow.

8 Frye: We got an extension.

9 Bailey: Did we?

10 Frye: I think we got an extension
11 through October 5th.

12 Bailey: Oh great. Okay, well, I
13 don't want to waste much more of your
14 time now, but I'd like to talk to you in
15 an appropriate time, about maybe
16 revisiting some of these other folks.
17 Because the big hang up before was that
18 the time thing you know, when you had
19 had your objection. And I understand
20 that you have to go back and do a little
21 file basing and stuff. But anyway,
22 that's the objection and I want to be
23 cooperative to do this.

24 Frye: Ah, Ms. Wright, at some
25 point after you began working in the

PAGE 15

1 extended care service line, do you
2 recall one of the social workers
3 assigned to that service line retire?

4 A: No.

5 Q: You don't. Okay, how many
6 social workers were assigned to that
7 service line when you worked there?

8 A: Just me and one other.

9 Bailey: For the record, can you
10 identify the service line?

11 Frye: Extended care service line?

12 Bailey: Extended care.

13 Frye: So, just to clarify, when
14 did you first, when were you first
15 assigned to the extended care?

16 A: February the 21st.

17 Bailey: Sammi, let her finish her
18 question.

19 Frye: Okay, February 21st of what
20 year?

21 A: 2000.

22 Q: Okay, when you were first
23 assigned, there were only two social
24 workers?

25 A: Myself and another person, yes.

PAGE 16

1 Q: Okay.

2 A: And that was ah, four months I
3 think.

4 Q: Four months.

5 A: And then it was only me for,
6 about two months.

7 Q: Did you ever tell any of your
8 supervisors that you would not see any
9 veterans?

10 A: I told my supervisor that I
11 having difficulty in visiting all the
12 homes.

13 Q: Did you ever tell---

14 A: On more than one occasion.

15 Q: Did you ever tell the
16 supervisor that you would not see a
17 veteran?

18 A: No I never told her.

19 Q: Did you ever.

20 Bailey: If either one of you want
21 to take a break, we'll get it now.

22 Q: When you visited veterans, did
23 you post information on the veterans'
24 medical records indicating your visits?

25 A: What do you mean post?

VIDEO DEPOSITION OF SAMMI WRIGHT

SHEET 5 PAGE 17

1 Q: Enter it into the computer?

2 A: Yes, we have to, we did notes
3 on all visits and contacts.

4 Bailey: Keep your voice up.

5 A: Yes, we made notes on the
6 records---

7 Q: Okay.

8 A: Or visits.

9 Q: And was making these notes one
10 of your job duties?11 A: That was a part of our
12 responsibilities.13 Q: Did you do this consistently
14 whenever you visited with them?

15 A: Yes, it was consistently done.

16 Bailey: Let her, let her finish, I
17 know that you're anticipating, but just-
18 --19 Q: But now based upon the, ah, the
20 allegations of your complaint, I would
21 like to know whether it was your belief
22 that your supervisors had no right to
23 know where you are during your work
24 hours?

25 Bailey: Objection, you may

PAGE 18

1 respond. I would, if you want to review
2 the complaint, you can but if you're
3 saying that the alleges, do you mind
4 doing a paragraph on it?5 Frye: I'm not saying that was the
6 complaint.7 Bailey: Oh, oh, I'm sorry. I'm
8 sorry. I withdraw the objection, not
9 the complaint.10 Frye: Okay, was it your belief
11 that your supervisor, was it your belief
12 that your supervisors have no right to
13 know where you are during working hours?14 A: That was not stated as my
15 belief.16 Q: I know, it was not stated. I
17 was asking you whether is this your
18 belief.

19 A: No, that's not my belief.

20 Q: So you believe that your
21 supervisors do have the right to know
22 where you are during working hours?

23 A: Most definitely.

24 Q: Is it your belief that you do
25 not have an obligation to follow your

PAGE 19

1 supervisor's instructions?

2 A: Is it my belief that I'm not
3 supposed to follow my supervisor's
4 instructions?5 Q: That you're not required to
6 follow your supervisor's instructions.
7 Is that your belief?8 A: No, that's not my belief.
9 That's not the way I was trained.10 Q: So is it your belief that you
11 do have an obligation to follow your
12 supervisor's instructions?13 A: My obligation is to follow the
14 rules and the procedures of social work.15 Q: Do you also have an obligation
16 to follow your supervisor's
17 instructions?18 A: I, my belief, my, my, that I'm
19 to follow through the regulations of
20 social work.21 Q: Does that mean that you do not
22 have an obligation to also follow your
23 supervisor's instructions?24 A: If the supervisor's
25 recommendations on rules and regulations

PAGE 20

1 relate to social work.

2 Q: I think I need you to be very
3 clear on this. Are you stating for the
4 record today, that if you think that
5 your supervisor's instructions are not
6 consistent with the rules and
7 regulations of social work, that you do
8 not have to follow those instructions?

9 A: I didn't say that.

10 Q: Well, then could you please
11 explain what you believe your obligation
12 is with respect to---13 Bailey: Can you give her some
14 examples? Example, if the supervisor
15 tells her to overdose a---16 Q: No I won't. I would like to
17 know what her belief is, with regard to
18 whether she has an obligation to follow
19 her supervisor's instructions.20 Bailey: I'm going to let you
21 respond. I would object, this is
22 argumentative and I think it's a lot
23 designed to produce erring. Pertinent
24 information at all, but Sammi, I do want
25 you to respond. So, please answer.

VIDEO DEPOSITION OF SAMMI WRIGHT

SHEET 6 PAGE 21

1 A: I have an obligation to follow
2 rules and regulations that are related
3 to social work.

4 Q: Are you refusing to answer the
5 question that I'm asking?

6 A: I have responded to the
7 question.

8 Q: No you haven't. My question
9 is, do you believe that you have an
10 obligation to follow the instructions of
11 your supervisors?

12 A: I believe that I have an
13 obligation to follow the rules of social
14 work that pertain to, if the
15 supervisor's, if the supervisor has
16 stated relating to social work.

17 Q: I don't understand your answer,
18 could you?

19 A: Social workers have certain
20 rules and certain things that they are
21 supposed to follow, which is what I have
22 done for over twenty years now.

23 Q: But I'm asking about your
24 supervisors instructions, not
25 specifically instructions relating to

PAGE 22

1 the rules and regulations of social
2 work.

3 A: But they have to be related to
4 social work. Or else I'm in violation
5 of my credentials.

6 Q: No, what I'm asking is, for
7 example, if a supervisor tells you that
8 you have to report your whereabouts;
9 that would not violate the rules and
10 regulations?

11 A: That's a part of social work.
12 Social work has a responsibility.

13 Q: No, so, what I'm asking you is,
14 do you believe that you have an
15 obligation to follow your supervisor's
16 instructions, regardless of whether they
17 are part of the rules and regulations of
18 social work?

19 A: I have an obligation to follow
20 the rules of social work, and any other
21 rules that are pertaining to the care of
22 veterans.

23 Q: Do you have an obligation to
24 follow the instructions of your
25 supervisors?

PAGE 23

1 A: If they are pertaining to my
2 role as a social worker, yes.

3 Q: And otherwise no?

4 A: If they are pertaining to my
5 rule, the rules of social work and my
6 job description, I have an obligation.

7 Q: If, no, I want to know if they
8 are not related to the rules and
9 regulations of social work, if they are
10 related to administrative matters,
11 attendance, reporting---

12 A: That the same matter, yes. I
13 have an obligation to follow policies
14 and rules relating to attendance and
15 reporting.

16 Q: I'm not talking about policies
17 and rules. I'm talking about your
18 supervisor's instructions. When you
19 supervisor tells you to do something, do
20 you have an obligation to do it?

21 A: I have an obligation that
22 supports and relates to my role, yes.

23 Bailey: She had indicated that, I
24 think Cathy, in fairness to her job
25 description. So all this is not

PAGE 24

1 important.

2 Frye: I understand.

3 Bailey: I, I don't think she's
4 disagreeing with the premise of your
5 question. I just think there's a
6 misunderstanding.

7 Frye: What was the
8 misunderstanding?

9 Bailey: Well she doesn't, I, I
10 think what's happening to her, is that
11 she's getting the idea, let's say she's
12 told to do something which is outside
13 the rules of the veteran's
14 administration, that are not
15 administratively related to her job.
16 Her reaction to that is, no, I don't
17 have to fly or orbit when I'm told. I
18 think all of us will agree to that, even
19 you will agree with that.

20 Frye: I would Don, but that's your
21 answer. And that's not what she says.

22 Bailey: I think, I think---

23 A: That's my understanding.

24 Bailey: I'm not trying to get you.
25 I apologize, but I'm just trying to, you

VIDEO DEPOSITION OF SAMMI WRIGHT

SHEET 7 PAGE 25

1 ask me, I think there's a
2 misunderstanding. I understand where
3 you're getting at. And I think she's
4 trying to respond. You know she's a
5 witness and she's doing the best she
6 can.

7 Q: When you were assigned to the
8 extended care program, did you ever use
9 computers or office equipment in other
10 areas of the VA hospital?

11 A: I most certainly did.

12 Q: Okay. Can you explain to me
13 when that would've occurred?

14 A: I only, during the time I was
15 in the extended care product line; we
16 did not have a computer that was up to
17 date. There were a number of things that
18 we were not able to do other than just
19 put a note in the computer. We were not
20 able to use the ah, word processing in
21 terms of typing up letters, you were not
22 able to umm, it was just a basic
23 computer.

24 Q: Okay.

25 A: I went to the library on

PAGE 26

1 numerous occasions to do reports.

2 Q: What type of reports?

3 A: What other reports pertaining
4 to my job.

5 Q: What, what type of reports
6 pertaining to your job?

7 A: I had to do recording---

8 Q: Of what? What are we talking
9 about?

10 A: Of contacts.

11 Q: So you're talking---

12 A: Of veterans.

13 Q: So you did reports in the
14 library other than---

15 A: In the library and wherever a
16 computer was available. Numerous times
17 social workers are, throughout the
18 hospital or in my job, I was in the
19 field most of the time. And many times,
20 the most available, what do you call it,
21 the most convenient computer may not
22 have been in the area where there was a
23 computer.

24 Q: Okay, I would like to
25 understand though, when you say you were

PAGE 27

1 doing reports. You've already testified
2 that you entered---

3 A: There were letters to be
4 written on occasion, to family members,
5 or the other agencies.

6 Q: Okay.

7 A: And our computer did not have,
8 at least the computer that I had did not
9 have that capability.

10 Q: Was there a computer in the,
11 extended care area that did have that
12 capability?

13 A: Not that I had access to.

14 Q: Where you ever instructed not
15 to use the computers and office
16 equipment in other areas of the VA
17 hospital?

18 A: No, I was never instructed. I
19 always ask to make sure that I ask
20 permission when I was in other areas to
21 use the computer. And the library was
22 the only other place that was available.

23 Q: Where you ever instructed by
24 your supervisor?

25 A: I was instructed on one

PAGE 28

1 occasion by a supervisor not to use, or
2 not to come into another social worker's
3 office to use his computer.

4 Q: Did you follow that
5 instruction?

6 A: I mostly certainly did. After
7 I was going with that. But there was
8 never a problem before. Social workers
9 frequently go to other social worker's
10 office.

11 Q: Did you assist in training the
12 new social worker that was hired to
13 replace Greg Ratkoff?

14 A: No, I did not assist in
15 training but she did ask questions to;
16 that I responded to.

17 Bailey: Can we spell that last
18 name?

19 Q: R-A-T-K-O-F-F

20 Bailey: Okay.

21 Q: Where you ever counseled on
22 work performance before you were
23 assigned to the extended care?

24 A: No, the first, the first---

25 Bailey: Sammi, Sammi, I know you.

VIDEO DEPOSITION OF SAMMI WRIGHT

SHEET 8 PAGE 29

1 Please let her finish, because she, she
2 hadn't finished question. It's
3 important to get it down right.

4 Q: Question was, where you ever
5 counseled on work before you were
6 assigned to the extended care line?

7 A: No.

8 Q: Where you ever disciplined in
9 your work before you were assigned to
10 the extended care line?

11 A: No.

12 Q: Where you ever counseled on
13 work performance after you no longer
14 worked in the extended care line?

15 A: What?

16 Q: Where you ever counseled on
17 work performance after you no longer
18 worked in the extended care line since
19 then?

20 A: No.

21 Q: You have not been counseled?

22 A: No.

23 Q: Okay.

24 A: In fact I had a very good
25 evaluation since I've been---

PAGE 30

1 Q: Now, would you go through for
2 me very briefly what your educational
3 background is?

4 A: I have a master's degree in
5 social work from Portland University

6 Q: And did you have any other
7 social work jobs before you began
8 working for the veteran's
9 administration?

10 A: I mostly certainly did.

11 Q: And what were they?

12 A: I worked for active duty
13 military in Europe.

14 Q: Can you repeat that?

15 A: Active duty military.

16 Q: And when was that?

17 A: That was about six years, six
18 years in '86, prior to that I worked for
19 State of New York, I worked in private
20 agencies.

21 Q: And when would that be?

22 Bailey: Do the best you can Sammi,
23 she's trying to construct your point of
24 quality. Give her the best.

25 A: After graduating from Portland

PAGE 31

1 University, I worked for mental health.
2 I worked for New York mental health for
3 about two years, and then I worked in
4 hospital setting. And then I went to
5 Europe, I worked over there, I worked in
6 foster care for about two years, I
7 worked in ah, I worked at the office of
8 probation in New York. I worked for
9 special services for children as a
10 researcher in New York. I've worked for
11 Lion's VA. And I've worked for Brooklyn
12 VA prior to coming to Lebanon.

13 Q: Okay. Why did you leave
14 Brooklyn VA?

15 A: Because I transferred, and I
16 relocated to the Pennsylvania community,
17 initially I lived in, had a home in the
18 Poconos.

19 Q: Was that transfer your request?

20 A: Most definitely.

21 Q: Why did you, ah, why did you
22 stop working at the Lion's VA?

23 A: Because I went to Brooklyn VA,
24 I thought I needed to transfer to
25 Brooklyn VA which was where I was

PAGE 32

1 living. It was a lot easier to commute?
2 May I ask you a question?

3 Bailey: Ah, ah go ahead, sure.

4 A: What's the relevance of this?

5 Bailey: Well, let me, let me
6 explain because ah, you know, I mean,
7 being a witness is an uncomfortable
8 thing. The rules for federal discovery
9 provide extremely broad ah, powers to
10 attorneys to ask questions. Remember
11 when we talked when we started this
12 process, I told you, many times
13 questions are designed to just look for
14 background information because the
15 attorney on the other side doesn't know,
16 you know, what you know. And so for
17 what we get things, it might be relevant
18 to the case. Unlike a trial, she has
19 very, very broad latitude. If I hear
20 something that I think would justify an
21 objection and I instruct you not to
22 answer and would, but you know, to all
23 personal information, we're looking for
24 damages and she does have a right to
25 ask. Just to you know, try to, I know,

VIDEO DEPOSITION OF SAMMI WRIGHT

SHEET 9 PAGE 33

1 I know it's a, I know it's unpleasant,
 2 but try to stick with it.
 3 Q: What year did you graduate from
 4 Portland?
 5 A: 1973.
 6 Q: Now what was your first job
 7 after that?
 8 A: I think it was Jamaica hospital
 9 and then I worked for East New York
 10 mental health.
 11 Q: Okay, why did you leave Jamaica
 12 Hospital?
 13 A: Each time I moved from a job,
 14 it's usually for a job advancement.
 15 Q: Okay, we're going to through
 16 those and check each one. Why did you
 17 leave Jamaica hospital?
 18 A: Because I was given a position
 19 for East New York mental health which
 20 was a higher position and better pay.
 21 Q: Okay, why did you leave,
 22 Eastern, was that Eastern mental health?
 23 Is that what it says?
 24 A: No, I said East New York mental
 25 health.

PAGE 34

1 Q: Eastern New York mental health.
 2 Why did you leave that?
 3 A: No, East New York mental
 4 health.
 5 Q: Okay, why did you leave that?
 6 A: I left my position to, I think
 7 that was when I went to YMCA.
 8 Q: Okay, why did you leave Eastern
 9 New York mental health?
 10 A: That was another advancement
 11 for me, to move to another position, a
 12 higher position.
 13 Q: Okay, and after that you said
 14 you went to Lions? Is that correct?
 15 A: From East New York, I went to,
 16 I didn't know she was going to ask these
 17 questions, I would've reviewed---
 18 Bailey: No, she's, that's all
 19 right, that's okay, Sammi. Answer it
 20 best as you can. She knows you're
 21 sitting here and you have to go with
 22 your best recollection, that's all
 23 right.
 24 A: I have a very expensive line,
 25 in terms of performance, trying to

PAGE 35

1 remember all of that is, you know---
 2 Q: How long did you work for
 3 Eastern New York mental health?
 4 A: For about a year and a half to
 5 two years.
 6 Q: About how long did you work for
 7 Lions?
 8 A: About a year and a half?
 9 Q: About how long did you work for
 10 Brooklyn?
 11 A: About five years.
 12 Q: Now, ah, you said that you
 13 worked also for the military in, in
 14 Europe?
 15 A: Yes.
 16 Q: That was--- looking back in
 17 Europe which you said was in 1986, where
 18 did you work?
 19 A: I worked for special services
 20 for children as a researcher?
 21 Q: For how long?
 22 A: Ah, about a year, perhaps a
 23 little over.
 24 Q: Okay and why did you leave that
 25 position?

PAGE 36

1 A: Because I wanted to ah, work
 2 closer to home at that time. There was
 3 a position at Mount Lorretto.
 4 Q: I'm sorry.
 5 A: Mount Lorretto, it's a child
 6 care agency that had more secure group
 7 problems.
 8 Q: How long did work at Mount
 9 Loretto?
 10 A: Ah, I worked there for about
 11 ah, maybe six to eight months, and then
 12 I was able to get back into the federal
 13 systems and that's when I went to Lions.
 14 Q: And then from Lions you went to
 15 Brooklyn?
 16 A: Correct.
 17 Q: And then from Brooklyn you went
 18 to Lebanon?
 19 A: Correct.
 20 Q: Were you ever fired from a job?
 21 A: No, I was never fired from a
 22 job. I never had a - .
 23 Q: Have you ever gotten arrested?
 24 A: No.
 25 Q: Umm, I think, no, no actually,

VIDEO DEPOSITION OF SAMMI WRIGHT

SHEET 10 PAGE 37

1 I think I. If I come up with anything
2 else, I'll ah, ask the questions after,
3 after. Nothing else for now.

4 Bailey: Sammi, I just have some
5 brief questions for you. Ah, do you
6 have a recollection of ah, the complaint
7 that's filed on this case, I gave you a
8 copy and I want you to look at it, okay?
9 What's the date on that complaint?

10 A: Well, the filing date is
11 September the 18th 2000.

12 Bailey: Now, ah, did you, did you
13 handle a, another related type of case
14 that was dealt with by the veteran's
15 administration or the federal ah, ah,
16 the federal system through an
17 administrative law judge?

18 A: Yes.

19 Q: And umm, how did, how did you
20 begin that process, Sammi, of starting
21 that claim?

22 A: Well we started out first as
23 umm, an EEO when I filed a grievance.
24 And that progressed into my umm, filing
25 an EEO, EEOC, I think it is to

PAGE 38

1 Philadelphia.

2 Q: Well was there some kind of,
3 I'm sorry---

4 A: And I also filed a merit system
5 protection board, a complaint through
6 the merit system protection board.

7 Q: Do you by month and year
8 remember when you took those actions by
9 that, I would, I would like you to start
10 with, umm, with answering this question.
11 I understand that in the, with federal
12 employees, at least that there is an
13 internal procedure where you go to, an,
14 a, a some sort of federal EEO work, or
15 something like that, is that correct?

16 A: That's correct.

17 Q: Did you complain to Arlen
18 Specter before you filed the EEO
19 complaint, if you remember.

20 A: I think it occurred just about
21 the same time period.

22 Q: And, I understand in prior
23 questions in the earlier deposition, the
24 younger, earlier part of your
25 deposition. It occurred prior to today.

PAGE 39

1 That at some point you complained to
2 people or ombudsman whatever they might
3 be called in the veteran's
4 administration itself about what was
5 happening. The veteran's about what was
6 happening to you. Is that correct?

7 A: Yes, you said in the veteran's
8 administration?

9 Q: Yes.

10 A: Well they had it in the
11 veteran's administration.

12 Q: So you went right to the head
13 person.

14 A: Yes.

15 Q: Do you know that person's name?

16 A: Biro.

17 Q: Can you spell his last name for
18 the lady here?

19 A: B-I-R-O

20 Q: And umm, what did you complain
21 to Mr. Biro about?

22 A: My concern about the, ah, the
23 care the veterans were receiving, and
24 also the management style.

25 Q: Do you have a recollection of

PAGE 40

1 complaining to Mr. Biro before or after,
2 or if it was contemporaneous at the same
3 time. Did you complain to Senator Arlen
4 Specter?

5 A: I think when I first went to
6 Biro and then to ah Senator Specter?

7 Q: Why did you go to Senator
8 Specter after you've gone to Mr. Biro?

9 A: Because I only, I didn't hear
10 anything back unluckily from Biro, but I
11 understand he was in contact with the
12 agency.

13 Q: And that was how you learned
14 that Mr. Biro, did you say in contact
15 with the agency. What, what do you mean
16 by that please?

17 A: Ah, I was told by people who
18 were in positions to know that ah, Mr.
19 Biro had contacted the administrators in
20 terms of my concerns.

21 Q: Well, I, I'm sorry to do this
22 to you---

23 A: That's all right.

24 Q: But you need to tell me and if
25 I don't do it, Ms. Wright, as a fine

VIDEO DEPOSITION OF SAMMI WRIGHT

SHEET 11 PAGE 41

1 lawyer who will do this. Who were the
2 people you contacted that were in a
3 position to know and that would be the
4 first question. The second question is,
5 would be, follow that please with an
6 answer to this question: Who did Mr.
7 Biro supposedly notified in the agency.

8 **A: I think I received a call from**
9 **ah, Steve Young who was the ah, I don't**
10 **what his title is. But he was up in the**
11 **administrative area. And I don't know**
12 **who else who contacted me, I can't**
13 **remember.**

14 **Q: Steve Young, you say he's up in**
15 **the administrative area, do you mean**
16 **Washington DC?**

17 **A: No, no, he's in the, at Lebanon**
18 **VA. He's something next to the**
19 **director.**

20 **Q: Do you know why he called you?**
21 **I'm sorry.**

22 **A: When they made contact with ah,**
23 **to investigate, he just wanted, he**
24 **talked to me before, public relations at**
25 **that time.**

PAGE 42

1 **Q: So it was his job to contact**
2 **you basically, and he contacted you, it**
3 **wasn't some secretive thing, right? He**
4 **let you know that Mr. Biro had contacted**
5 **the agency about your complaint.**

6 **A: I can't remember how, who**
7 **contacted me, but someone, you know,**
8 **made me aware that umm, I had, you know**
9 **that my file had been made to Mr. Biro.**
10 **I had made them.**

11 **Q: Had you in the meantime**
12 **attempted to contact Senator Specter?**

13 **A: I had contacted Senator Specter**
14 **I think it was, shortly after I received**
15 **the AWOL which was March, which was less**
16 **than month on my ah, being in the**
17 **extended care product line.**

18 **Q: What was the resolution of the**
19 **AWOL accusation that was made against**
20 **you?**

21 **A: After I had made contact with**
22 **Arlen Specter, there was a, for the**
23 **investigation and when we actually did**
24 **contact the personal bureau homes and I**
25 **also presented documents.**

PAGE 43

1 **Q: As that where you presented the**
2 **documents that we looked at in the**
3 **earlier part of your deposition like two**
4 **or three statements from veterans or the**
5 **homes or whatever.**

6 **A: From the homes and also my cell**
7 **log.**

8 **Q: And then, my question was, what**
9 **was the resolution of the AWOL issue?**

10 **A: The resolution was that umm,**
11 **the AWOL charges were dropped and my**
12 **eight hours time was restored.**

13 **Q: When were your eight hours of**
14 **time restored?**

15 **A: Umm, sometime in April.**

16 **Q: Of what year please.**

17 **A: Of 2000.**

18 **Q: And who was the person that**
19 **took if indeed there was one person or**
20 **more, who were the persons or person who**
21 **took the eight hours from you alleging**
22 **you to have been AWOL?**

23 **A: Beulah Hadrick's name was**
24 **attached to the AWOL.**

25 **Q: Now, you indicated that at,**

PAGE 44

1 **that at some point, you had initiated an**
2 **EEO complaint and by that I mean, not**
3 **EEOC, I mean the internal EEO complaint**
4 **process. You initiated that process in**
5 **the veteran's administration, am I**
6 **correct?**

7 **A: Correct.**

8 **Q: And when did you do that?**
9 **Excuse me.**

10 **A: I think I did that in March---**

11 **Q: Of the year?**

12 **A: March of the year 2000.**

13 **Q: All right, would you lay out**
14 **as, as simply as you can the chronology**
15 **of how that processed progressed? Do**
16 **you understand that question?**

17 **A: Ah, from the umm, initial I**
18 **think it was in March that I made the**
19 **complaint. This is based upon the AWOL,**
20 **I think---**

21 **Q: Keep your voice up Sammi.**

22 **A: And all through that time, I**
23 **had a complaint again. Another person**
24 **Scott Shreve for harassment, and also**
25 **during that time---**

VIDEO DEPOSITION OF SAMMI WRIGHT

SHEET 12 PAGE 45

1 Q: Sammi, if I may interpose a
2 question at this time, the counsel
3 wouldn't, would a, would a, permit me.
4 The nature of the harassment complaint
5 against Mr. Shreve that you, that you
6 just mentioned. What was the nature of
7 the harassment complaint towards Mr.
8 Shreve?

9 A: He came into my office one day
10 and demanded that I take a poster off
11 the door; and that I keep my door open
12 at all times, the door to my office.

13 Q: Why was that the basis of a
14 harassment complaint to the EEO?

15 A: It was a basis of a complaint
16 because other employees in that same
17 product line had posters over their
18 doors and they had the doors locked.

19 Q: How many of them were black?

20 A: I was the only black person in
21 the unit.

22 Q: Now, umm, can you give some,
23 the EEO, I'm sorry, I interrupted you.

24 You were telling us the process. Give
25 us a chronology on how the EEO complaint

PAGE 46

1 went.

2 A: First I made that complaint and
3 then a matter of another few weeks I
4 made another complaint because a number
5 of things just continued to happen.
6 That were, harassment. The AWOL, the
7 Shreve comment, then the letter saying
8 that I was going to be reprimanded for
9 the AWOL, then after my contact with ah,
10 Senator Specter, that was dismissed.
11 And they changed to AWOL to a letter of
12 reprimand, and then it went on to umm,
13 telephone calls, I mean, messages in the
14 computer---

15 Q: Commuter, computer?

16 A: Computer.

17 Q: Okay go ahead.

18 A: Computer messages from Hadrick
19 and ah, what's her name, Lola Scott.
20 They're leaving messages regarding my
21 ah, making contact eight different
22 people regarding.

23 Q: Let's do this, let's get this
24 chronology laid out and I'm going to
25 come back and I'm going to ask you some

PAGE 47

1 questions about the substance of your
2 complaints to the EEO. What happened,
3 in other words, you supplemented your
4 EEO complaint?

5 A: Yeah, that and three or four
6 other supplements to the initial
7 complaint.

8 Q: Now is that in that fact sheet
9 that you provided? I just provided
10 Cathy a copy of that opposing the
11 counsel.

12 Frye: I think there's another
13 page. No, that's not the same.

14 Q: Okay, well we'll make sure we
15 give her a copy. But is that reflected
16 there?

17 A: Ah---

18 Q: If it's not, make sure that you
19 ah, tell us what you can about it. I
20 think that's all she gave, that's all I
21 have, we'll have to give it, is that
22 another day or something I don't know.
23 Yeah, let me see what we have there.

24 A: That's not on that, but it's on
25 another list when I identified my

PAGE 48

1 documents. It had a listing of all the
2 different---

3 Q: That was in your administrative
4 claim?

5 A: EEO.

6 Q: Okay. We have to give that to
7 Cathy, although Mr. Livingston may have
8 it, but make sure we should provide her
9 with a copy, okay? And I don't think I
10 have it so I'd like to see it also.

11 Sammi, may I suggest we do this. We'll
12 get those docs. Let's try now just,
13 just provide the---

14 A: Okay, a complaint was filed to
15 EEO on March 31st and 10/16/02.

16 Q: And, 10/16/02?

17 A: 10/16/00, I mean 2000.

18 Q: Well, Sammi ask you, 10/16/00.
19 What was the major of that complaint to
20 the EEO? No, you can pull the documents
21 off, but your best recollection---

22 A: That, I think that was based
23 upon the suspension that I filed the
24 complaint. On the suspension, because I
25 had presented document to support that I

VIDEO DEPOSITION OF SAMMI WRIGHT

SHEET 13 PAGE 49

1 was you know, that the claims were
2 false.

3 Q: So, on October 16th 2000,
4 almost September has 30 days, am I
5 right?

6 A: Um-hum.

7 Q: Okay, so twenty-eight days from
8 when you filed in federal district
9 court, ah, some type of action was taken
10 against you or my, that's when you filed
11 your EEO complaint, when were you
12 suspended?

13 A: I was suspended in October;
14 there was a proposed suspension date
15 before that, I think it was September.

16 Q: When was the proposed
17 suspension date? Was that some kind of
18 letter, there was a proposed---

19 A: No there was a proposed
20 suspension date and then after the
21 proposed suspension date was dropped and
22 then they came up again with another
23 proposed suspension date.

24 Q: When, when did they first tell
25 you that there was a quote, unquote,

PAGE 51

1 A: The allegations they had in the
2 ah, the proposed suspension.

3 Q: And umm, what happened between
4 July 21st, 2000 and the September 18th,
5 2000 date when you filed your federal
6 court complaint?

7 A: There were numerous messages
8 back and forth about my reporting to
9 umm, my contact with, how many people I
10 had contacted each morning regarding my
11 attendance.

12 Q: Okay, Sammi, try to, try to pay
13 attention to this question very closely
14 because it's sort of a little different
15 than some other things that you might
16 deal with. I'm looking procedurally---

17 A: Um-hum.

18 Q: For what might have happened
19 that had to do with your EEO complaints,
20 or your administrative claims, or
21 whatever it is. Those developed
22 chronologically and we'll go through
23 those, but between July 21st, 2000, as
24 you sit here today, to September
25 18th, 2000, do you have a recollection of

PAGE 50

1 proposed suspension date?

2 A: Okay, I actually received the
3 suspension notice on October the 31st.

4 Q: When did you receive---

5 A: I'm trying to find it now.

6 Q: Okay, looking for the proposed.

7 A: Okay, that was back in August.

8 Q: Okay, and, and what, they
9 informed you, they being your superiors?

10 A: Yes.

11 Q: What did they say that there
12 was a proposed suspension?

13 A: Okay, no, excuse me it was July
14 the 21st that I received the memo on the
15 proposed suspension.

16 Q: It's a great day, my birthday.
17 Okay so July 21st 2000, then they told
18 you that there was a proposal to suspend
19 you, right.

20 A: Right.

21 Q: What's the next thing they do?

22 A: Ah---

23 Q: Did you respond to that?

24 A: Yes I did, I responded to that?

25 Q: And what happened?

PAGE 52

1 what occurred with your EEO complaints,
2 or what occurred with your notice of
3 proposed suspension.

4 A: The case was accepted for
5 investigation and during that time,
6 there was an interview with the parties
7 who had been named in the ah, complaint.

8 Q: And when Beulah, I'm sorry
9 Sammi go ahead--- Had you finished?

10 A: No, that's what, that's what
11 happened during that time.

12 Q: Sammi, do you know when the
13 parties' named in the complaint were
14 interviewed by, I assume an investigator
15 from the EEO?

16 A: I should have a copy of that,
17 that whole interview that went, took
18 place in, ah---

19 Q: Those documents become part of
20 your administrative plan?

21 A: Yes, they were part of the ah--

22 -

23 Q: Well, I'd like Cathy to
24 include, to incorporate by reference
25 those, any of the documents that were

VIDEO DEPOSITION OF SAMMI WRIGHT

SHEET 14 PAGE 53

1 filed in the administrative claim, okay?

2 **A: Um-hum.**3 **Q: Okay.**4 **A: I mean, yes.**5 **Q: Sammi, who were the people that**
6 **were named in that EEO complaint?**7 **A: Scott Shreve, Beulah Hadrick---**8 **Q: Speak up, speak up.**9 **A: Scott Shreve, Beulah Hadrick,**
10 **Charlene Szabo and Ray Kent.**11 **Q: Now, Sammi, did you tell any of**
12 **those folks, by those folks I mean**
13 **anybody in your supervisory chain that**
14 **you were considering filing a federal**
15 **civil rights lawsuit because of the**
16 **harassment?**17 **A: I informed, what's the name,**
18 **Beulah Hadrick that I would, that I had**
19 **retained an attorney.**20 **Q: Now, Sammi, when did you tell**
21 **Beulah Hadrick that you've retained an**
22 **attorney, for purposes of filing a**
23 **federal civil rights lawsuit?**24 **A: Now, I don't remember the exact-**
25 **--**

PAGE 54

1 **Q: Do you remember the month?**2 **A: That was, that was after the**
3 **ah, AWOL incident.**4 **Q: Well, was it before---**5 **A: I would say March or April, not**
6 **March or April, April or May.**7 **Q: Okay, was the attorney you were**
8 **referring to?**9 **A: No.**10 **Q: What was Beulah Hadrick's**
11 **response when you told her that you had**
12 **retained an attorney to file a federal**
13 **civil rights lawsuit.**14 **A: Something to the fact that you**
15 **can do whatever you want to do.**16 **Q: Okay. Now, Sammi I want to**
17 **bring you forward through time. You had**
18 **filed the EEO complaints, you've made**
19 **reference to the fact that it was**
20 **accepted for investigation.**21 **A: Yes.**22 **Q: Can you tell me, when you**
23 **learned it was accepted the EEO**
24 **complaint that you filed, within the**
25 **federal bureaucracy. When it was**

PAGE 55

1 accepted, for investigation.

2 **A: I think, the first time I**
3 **received the acceptance, about the last**
4 **of March.**5 **Q: Okay, so, to the best of your**
6 **knowledge, as of the last of March 2000,**
7 **the EEO of the federal government was**
8 **investigating the allegations that you**
9 **had made in your complaint, and or**
10 **complaints, is that correct?**11 **A: Yes.**12 **Q: Do you know when any of the**
13 **interviews of the alleged wrong doers in**
14 **your EEO complaint took place, just as**
15 **to month and year, if you?**16 **A: March, I think, that was ah,**
17 **that was one, and about two, three**
18 **months later, there was another**
19 **interview with the people.**20 **Q: And how did you learn about**
21 **that?**22 **A: I was sent a copy of them and I**
23 **was also sent a confirmation that ah,**
24 **about the investigation.**25 **Q: Okay, try to keep your voice**

PAGE 56

1 up. Sammy I hope, forgive my coughing,
2 it's terrible cold here. Sammi at some
3 point, did you know whether or not the
4 EEO came to any conclusions from their
5 investigation?6 **A: I, I don't know because at the**
7 **same time, around the same time I had**
8 **filed the EEO slip to Philadelphia.**
9 **Because all of these, these acts of**
10 **harassment just continued to escalate.**
11 **And the process through the federal**
12 **government is very, very slow.**13 **Q: Okay.**14 **A: And the things were just**
15 **getting worse.**16 **Q: All right, you went to the**
17 **EEOC, what did they tell you?**18 **A: They told me to file a**
19 **complaint, you know I think, to get the**
20 **necessary documents. And then began**
21 **the, another case, and I was eventually**
22 **given ah date or judge and we had**
23 **discoveries back and forth and finally**
24 **we had a telephone interview with the**
25 **judge, with the lawyer from the VA.**

VIDEO DEPOSITION OF SAMMI WRIGHT

SHEET 15 PAGE 57

1 Q: Was that Judge Harris?
 2 A: Yes.
 3 Q: And Mr. Livingston?
 4 A: Correct.
 5 Q: Okay, Mr. Livingston's the
 6 attorney and Judge Harris was the
 7 administrative law justice---
 8 A: Right.
 9 Q: Is that correct?
 10 A: Correct.
 11 Q: Now, to you knowledge, the
 12 EEOC, said it was okay, you could file a
 13 complaint, is that right?
 14 A: Yes.
 15 Q: Do you know whether that was
 16 dependent on any recommendation or any
 17 process having been completed with EEO?
 18 A: No, as far as I know it was
 19 based upon the information that I had
 20 given. I also know during that time I
 21 had called MS, Merit System Protection
 22 Board.
 23 Q: What's a Merit System
 24 Protection Board, Sammi, what is that?
 25 A: It deals with umm, any

PAGE 58

1 administrative problem that a patient,
 2 that a patient. That an employee has
 3 that they feel that disciplinary
 4 action's or whatever was not correct or
 5 was improper.
 6 Q: And, and what happened, was
 7 that Merit System Board, whatever that
 8 thing is, was that accepted?
 9 A: Yes it was accepted.
 10 Q: What, what does it mean it was
 11 accepted? What do you mean?
 12 A: My case was accepted and that
 13 there was depositions and all that. But
 14 the day that we were actually supposed
 15 to receive that, it was brought out that
 16 my EEO complaint has precedence because
 17 it was filed prior to that.
 18 Q: Okay.
 19 A: So, I had to deal with the EEO
 20 complaint.
 21 Q: So the Merit Board thing there
 22 was set on the back burner.
 23 A: Right.
 24 Q: Okay. Now, in July, July 21st,
 25 what had happened then, what did you say

PAGE 59

1 happened then? Was that when you
 2 received a notice of possible
 3 suspension?
 4 A: Yes, and later, within a matter
 5 of days, I received umm, a change in
 6 that to fourteen days, there's a rule
 7 that an employee cannot get fifteen-day
 8 suspension. It has to be like fourteen-
 9 day cycles, that's why they made the
 10 change.
 11 Q: Well that sure is a different
 12 nature, in the punishment on the fifteen
 13 days.
 14 A: Well, you, you, it was, some
 15 kind of policy. It was, I can't recall-
 16 --
 17 Q: Well let me ask you now, is
 18 there a different procedure involved
 19 when you get hit with a fifteen days, as
 20 opposed to a fourteen-day, is there a
 21 different process involved?
 22 A: Well the thing was, they can
 23 not suspend me for fifteen days.
 24 Q: Why not.
 25 A: I can't remember the policy.

PAGE 60

1 But it has to be, so they changed it and
 2 made it fourteen days.
 3 Q: Okay so they couldn't suspend
 4 you for fifteen, who changed it and
 5 brought it back to fourteen?
 6 A: Ray Kent, it was from him.
 7 Q: Ray Kent?
 8 A: He's the---
 9 Q: Human Resources gentleman? Now
 10 is he in your chain of command?
 11 A: He's not in my chain of
 12 command, but he's supposed to be a
 13 resource for employees when you have
 14 umm, a need to re-educate on policies,
 15 pertaining to your job.
 16 Q: Okay so, what he was doing was
 17 correcting an error in the, that had
 18 been made, were you had been suspended
 19 for fifteen days and procedurally at
 20 least, you don't know the source or
 21 reason for the rule, they can only
 22 suspend you for fourteen days, is that,
 23 is that correct?
 24 A: I suppose.
 25 Q: Okay, now when do you say, it

VIDEO DEPOSITION OF SAMMI WRIGHT

SHEET 16 PAGE 61

1 was about three days so it was in July
2 then that they told it's not fifteen,
3 now it's fourteen days.

4 **A: It was in July they had the**
5 **proposed suspension for fifteen days.**
6 **And I was given four days, I was given**
7 **umm, to August the 4th to respond to the**
8 **allegations, to which I did respond to,**
9 **you know, in terms that, to show that**
10 **the reason that they had stated for the**
11 **suspension, was not, it should not have**
12 **been because I had documents to prove**
13 **that it was false.**

14 **Q: And what was the reason for the**
15 **suspensions?**

16 **A: A---**

17 **Q: According, according---**

18 **A: According to them---**

19 **Q: To them---**

20 **A: This was also based I think on**
21 **part that I did not respond to page,**
22 **paggers, and that on several dates that I**
23 **did not sign in, which was also showing**
24 **that on both dates that I had signed in,**
25 **the computer.**

PAGE 62

1 **Q: So your recollection is that**
2 **those charges were baseless. That's**
3 **your recollection.**

4 **A: They were, but when I presented**
5 **the evidence, it was just looked over**
6 **and did whatever they wanted to.**

7 **Q: Well who, who just looked over**
8 **and did whatever they---**

9 **A: Well my response was back to**
10 **Dr. Shreve and to Beulah Hadrick.**

11 **Q: So they disregarded the**
12 **evidence that you showed, that, that**
13 **your allegation is that the evidence was**
14 **cleared and convincing. And they just,**
15 **they, they, did they what recommend,**
16 **they discipline them?**

17 **A: That was, then they went on**
18 **later with the suspension.**

19 **Q: Well when did, when were you**
20 **notified that you in fact were going to**
21 **be suspended?**

22 **A: I actually got, I received the**
23 **suspension notice on October the 31st.**
24 **Or October the 31st, on the 18th I was**
25 **given the suspension notice, 9/18.**

PAGE 63

1 **Q: So on September 18th you**
2 **received a suspension notice?**

3 **A: Yes.**

4 **Q: Had you told any of the**
5 **defendants that you were going to be**
6 **filing a federal civil rights lawsuit**
7 **that week?**

8 **A: I think at that point, I filed**
9 **another complaint with the, EEO.**

10 **Q: Okay. When did you file**
11 **another complaint with the EEO? What**
12 **was the date on that?**

13 **A: I don't know the exact date.**

14 **Q: Well, was it before September**
15 **18th, 2000?**

16 **A: Yes, it was, it was before**
17 **that.**

18 **Q: After telling Beulah initially**
19 **that you had retained an attorney to**
20 **file a federal civil rights lawsuit---**

21 **A: Yes, I have before.**

22 **Q: Yes, I know. You didn't have**
23 **to answer that, that's fine, but since**
24 **when you told her that, which I believe**
25 **you testified was in the spring. Had**

PAGE 64

1 **you any other conversations, or made any**
2 **other threats of litigating, that you**
3 **were going to litigate this in federal**
4 **district court?**

5 **A: I, I remember informing her in**
6 **a meeting that I would be, my attorney**
7 **had advised me, you know, of something--**
8 **-**

9 **Q: All right, when, when was that**
10 **meeting, if you, if you know when that**
11 **month of when that meeting took place?**

12 **A: I don't know the exact, I don't**
13 **remember the exact, date.**

14 **Q: Okay. September 18th, you**
15 **filed your federal civil rights lawsuit,**
16 **is that correct?**

17 **A: Um-hum.**

18 **Q: And then you, received the**
19 **notice of suspension on October 31, did**
20 **you say?**

21 **A: October 31.**

22 **Q: Or did you say you received a**
23 **notice of suspension on 9/18?**

24 **A: 9/18 I received the suspension**
25 **notice. And the suspension weren't**

VIDEO DEPOSITION OF SAMMI WRIGHT

SHEET 17 PAGE 65

1 supposed to be from October 31st to
2 November the 14th.

3 Q: What did you then do?

4 A: I received the amended
5 suspension notice on 10/13, when they
6 changed to fifteen days to fourteen
7 days.

8 Q: Okay, so, the, the time when
9 you first learned that it was reduced
10 from fifteen to fourteen days, was not
11 back in July, or August or September,
12 but was in October of 2000.

13 A: Right.

14 Q: Okay, what occurred next?

15 A: Ah, 10/26 I received a memo
16 from Ray Kent on the change of the
17 suspension date, and on 10/31 I was
18 suspended to the, well on November.

19 Q: And was that suspension with or
20 without pay?

21 A: Without pay.

22 Q: And, when did you return to
23 work?

24 A: On the, I think it was the
25 12th, or the 13th, it was up to the

PAGE 66

1 12th, I returned on the 13th.

2 Q: It was my understanding that
3 you handled the administrative claim on
4 your own, is that correct?

5 A: The administrative and the
6 merit system.

7 Q: Okay and what was the outcome
8 of your efforts on that regard?

9 A: Ah, there was a settlement.

10 Q: And ah, how was the issue of
11 damages treated?

12 A: The umm, suspension notice was
13 removed from my record. Is that what
14 you want to know? That?

15 Q: Any, any issues having to do
16 with damages that you recollect.

17 A: Umm, there was, when you say
18 damages, what they did was, to remove
19 the documents pertaining to the
20 disciplinary action for my record.

21 Q: And--- that's okay, go ahead.

22 A: And the, well the AWOL, that
23 had already been, that had been removed
24 because I was given back my ah, paper
25 that day. And the older suspension was

PAGE 67

1 reduced to a letter of reprimand, which
2 was later removed; the letter of
3 reprimand was also removed.

4 Q: And did you sign an agreement?
5 Of some type?

6 A: In terms of what, the
7 settlement?

8 Q: Yes.

9 A: The agreement also, in it say,
10 any other damages would be taken up in
11 another---

12 Q: Was that in reference to this
13 case here?

14 A: In this case.

15 Q: Okay, and that was expressly
16 agreed to with the, with Mr. Livingston?

17 A: Yes, that was approved.

18 Q: Okay, now, when you went back
19 to work, was it November you said, the
20 12th or 14th or 16th, or something like
21 that?

22 A: You mean after the suspension?

23 Q: Yes.

24 A: Yes. It's like the 13th of
25 November.

PAGE 68

1 Q: At some time did Beulah Hadrick
2 leave the Lebanon Valley VA?

3 A: On this month?

4 Q: No, do you know when she left?

5 A: You mean, actually left the
6 facility?

7 Q: Physically left.

8 A: Umm, well, let me give you a
9 little bit more. On 10/18 I was given a
10 negative, my first actual performance
11 appraisal. All these other stuff was---

12 Q: When was that?

13 A: 10/18, I mean 12/18 I received
14 a negative performance evaluation. And
15 then on 12/21 I received a proposed
16 removal and-.

17 Q: Proposed termination.

18 A: Yes. And on 1/08 I received a
19 letter of removal for my position.

20 Q: Of termination.

21 A: Right.

22 Q: And what happened there? I
23 mean what happened, you back at work, is
24 that correct?

25 A: Yes.

VIDEO DEPOSITION OF SAMMI WRIGHT

SHEET 18 PAGE 69

1 Q: How did that come about?

2 A: Ah, that, that came about,
3 because I still had, I filed umm, my
4 case was still pending. The case, one
5 of the cases I had and part of the
6 agreement, I was merit system, it was
7 the merit system, I was reinstated to my
8 position.

9 Q: So what happened then, in this
10 notice of termination?

11 A: What happened to the notice of
12 termination?

13 Q: Yes, did it decide to fly off
14 into the night by itself somewhere, or
15 was it a done issue, a dead issue? What
16 happened?

17 A: When you say what happened?

18 Q: Were you terminated?

19 A: Yes, I was terminated for about
20 from January to September, September
21 10th, I returned to work.

22 Q: So you were out of work,
23 roughly nine months, is that correct?

24 A: Right.

25 Q: Do you have any income during

PAGE 70

1 that period of time?

2 A: I had a part time position, but
3 it did not, it did not pay my bills.

4 Q: And as part of the settlement,
5 you were reinstated to you job, is that
6 correct?

7 A: Yes.

8 Q: And, do you know why the
9 government agreed to reinstate you to
10 your job?

11 A: Because I had been dismissed,
12 and it was not the proper way to have
13 been dismissed.

14 Q: Okay. I want to go very
15 quickly to the complaint, I believe you
16 have a copy there in front of you
17 somewhere, I gave it to you, do you have
18 it? I'd like you to turn to page 3.
19 Paragraph 12 on the complaint under:
20 after the facts read, the plaintiff
21 Sammi Wright has worked as a productive,
22 well disciplined, dedicated employee to
23 veteran's administration as a social
24 worker. Miss, Miss Wright, when Cathy
25 Frye was asking you questions about ah,

PAGE 71

1 about your disciplinary history, until
2 the Spring of the year 2000, how many
3 years have you worked for the veteran's
4 administration?

5 A: Eighteen years, about eighteen
6 years.

7 Q: Were those continuous years?

8 A: Those were continuous years,
9 with the exception when I came back to
10 the states.

11 Q: Did you have a, your
12 disciplinary history up until the Spring
13 of 2000, you had no negative history
14 that you can recollect?

15 A: No negative disciplinary
16 history.

17 Q: No cases you were
18 insubordinate?

19 A: I had no case where I was
20 insubordinate. I had a case where I was
21 alleged to have refused to ah, to
22 follow, to do something. To go out to
23 visit a home, on the circumstances were
24 that I was supposed to go out to visit
25 another worker's home when the worker

PAGE 72

1 himself had refused to go.

2 Q: Now, I'm sorry.

3 A: And, that worker had refused
4 and also to work and supposed to be to
5 cover for that person, so the
6 supervisor, she did not---

7 Q: And when did that arise?

8 A: That was, that was when we were
9 under mental health. So that may have
10 been '99.

11 Q: And who was your supervisor at
12 that time?

13 A: Jeannie Lansen was the
14 supervisor at that time.

15 Q: Okay, and was there any
16 relationship at that time in the
17 administrative sense or framework to
18 Beulah Hadrack?

19 A: No, Beulah Hadrack is not,
20 Beulah Hadrack only became the part of
21 the ah, personal care home in February
22 2000, and the social workers were not
23 under extended care.

24 Q: In February 2000.

25 A: February 2000, she was never a

VIDEO DEPOSITION OF SAMMI WRIGHT

SHEET 19 PAGE 73

1 part of the ah---

2 Q: How about Charlene Szabo, was
3 she a part of ----4 A: Charlene Szabo was the director
5 of the facility.

6 Q: Of the facility itself.

7 A: Yes, um-hum.

8 Q: She's a top person her. Scott
9 Shreve, Dr. Shreve?10 A: No, I never had any contact
11 with him until we were transferred to
12 extended care.

13 Q: How about Ray Kent.

14 A: Ray Kent, I didn't really have
15 contact per se with him.16 Q: Okay. Let's resolved this,
17 plaintiff call when you will about not
18 going out this person in 1999. Were you
19 disciplined for that?20 A: She said that she was going to
21 ah, umm, put me up for insubordinate or
22 whatever that means; she couldn't that
23 because there are two other workers had
24 refused to go out to visit that home.
25 So how can she justify my, you know,

PAGE 74

1 they had other things they had to do and
2 I also had my cases to cover.

3 Q: And did she ah---

4 A: I was never, I was never given
5 any---6 Q: Well the fact is you were never
7 disciplined over that.

8 A: No, I---

9 Q: There was no charge---

10 A: No.

11 Q: Against you or anything---

12 A: No, but I filed a complaint.

13 Q: Well, why did you file a
14 complaint on that?15 A: Because it's something else
16 that happened to where she relayed some
17 confidential information in the group.18 Q: Okay. Ah, any other things you
19 can think of where there was any kind of
20 an issue at all on the job, when there
21 was some type of, even a threat of
22 discipline against you?

23 A: No.

24 Q: Okay, so this was a threat by a
25 supervisor that, who's, unhappy with,

PAGE 75

1 that materialized, is that correct?

2 A: Um-hum.

3 Q: Okay. Paragraph 13 they moved
4 the residential program, the extended
5 care program. Did that take place
6 around February 2000?

7 A: Right.

8 Q: At that were you placed under
9 the supervision of Ms. Hadrick and Mr.
10 Shreve.

11 A: Correct. Scott was actually---

12 Q: Lola Belle Scott answer
13 directly to ah, excuse me, to Ms.
14 Hadrick, is that correct?

15 A: Right.

16 Q: And you were actually, you were
17 subordinate to Ms. Belle, what's her
18 name?

19 A: Lola.

20 Q: Lola Belle. Paragraph 15, so
21 since that time this black person,
22 plaintiff had been singled out, treated,
23 in unjust, cruel, disparate fashion in
24 an concerted effort to create a
25 progressive disciplinary record, so the

PAGE 76

1 defendants can force her to resign or
2 terminate her. Now, that's an
3 allegation of mistreatment based on
4 race. Now, race, confining it to race,
5 your complaints to officials, of the
6 issue on race, why do you make that
7 allegation?8 A: I have that allegation because
9 within three weeks of being there I was
10 accused of being AWOL and I have to
11 submit documents which were not
12 acknowledged until I got my contact with
13 umm, Senator Specter. Also, the
14 allegations that umm, my not following
15 orders, while the other social workers
16 were also using his car to make home
17 visits, and that person was not
18 disciplined, but I was disciplined. And
19 I was told I was not, not following
20 orders. Also, umm,21 Q: What's the race and sex of that
22 person?

23 A: A white male.

24 Q: Go ahead.

25 A: I was also told about, when I

VIDEO DEPOSITION OF SAMMI WRIGHT

SHEET 20 PAGE 77

1 was told about seeing veterans on a
2 monthly basis, the other workers were
3 not---

4 Q: They were not treated on a
5 similar---

6 A: They were not treated on a
7 similar fashion. There are documents
8 that show that markings were not made,
9 and that there were several visits that
10 were not made on a monthly basis. On a
11 number cases, they were not made on a
12 monthly basis, but there was no
13 reprimand or no disciplinary action.

14 Q: So---I'm sorry.

15 A: There was also, the incident
16 that the posters and the doors being, on
17 a number of cases, the secretary's
18 office was also Lola Belle Scott's
19 office and her door was locked as well
20 as the secretary, and there were also
21 some posters on the windows, prior to my
22 putting up a poster for privacy. There
23 was also the cases of where I was
24 refused attendance of educational
25 training when other social workers were

PAGE 78

1 allowed to attend meetings. There was
2 also the case of where comp time was
3 given to social workers, but I was not
4 allowed. I was not given the opportunity
5 for comp time on more than one occasion,
6 Scott Shreve actually went out to a home
7 with one of the social workers and she
8 was also given the opportunity to work
9 at home.

10 Q: And that's what you're, that's
11 what you're defining as, as comp time,
12 or is it called flex time?

13 A: Comp time, comp time, is being
14 that if you worked after the normal
15 hours, you're compensated for it by time
16 off.

17 Q: They'll give you credit for it.

18 A: They give you credit for it.

19 Q: Okay.

20 A: I was constantly on a daily
21 scrutiny, I mean, the door I came in,
22 the door I came out. There were notes
23 where there were comments about, "Well
24 she came in this door or she went out
25 that door". Or calls to the

PAGE 79

1 transportation people about what time I
2 picked up the car, or what time I
3 brought the car back. There were, it
4 was just horrible, horrible experience
5 on a daily basis, there were messages on
6 the computer about my signing in, my
7 signing out. People told me that they
8 had called over to check and see if I
9 had come in at a certain time and what
10 time did I leave, return. Also they told
11 me that there were calls to the MPC if I
12 had made contact with them about going
13 into the field. Comments such as, "Why
14 are they so hard on you?"

15 Q: What are the employees that
16 called and make those comments?

17 A: The operator. Couple of
18 operators made that comment.

19 Q: Well are these telephone
20 operators or what?

21 A: Yes, telephone operators.

22 Q: Okay, go ahead.

23 A: And also the people who
24 traveled, when I come by, "Why are they
25 calling down to find out about you?"

PAGE 80

1 Q: These are people that you---

2 A: These are employees that I have
3 to work with, even my personal care home
4 sponsors told me about, they had been
5 called about whether or not I was there
6 and how long I was there, who did I see,
7 what did I do when I was there. This
8 was on more than occasion.

9 Q: Sammi how did that make you
10 feel inside, in the sense, how did that
11 personally affect you?

12 A: I was embarrassed. I felt
13 humiliated, that I go there as a
14 professional, that it was not right and
15 that my client, what kind of, you know,
16 respect that they have for me as a
17 professional if I was, on a constant
18 scrutiny by my supervisors. I had,
19 there were two different occasions where
20 calls were made to my personal care home
21 and it was demanded that I come back to
22 the facility or I would be charged with
23 AWOL.

24 Q: And who, who told you that?

25 A: Once the secretary told me, on

VIDEO DEPOSITION OF SAMMI WRIGHT

SHEET 21 PAGE 81

1 another occasion, Beulah Hadrick made
2 that comment.

3 Q: What is---

4 A: The message from the secretary
5 was directly a message that had come
6 from Beulah Hadrick.

7 Q: Okay, all right. Go ahead, are
8 you, are you finished?

9 A: No, I would be finished.

10 Q: It has been a painful
11 experience for you, is that what your
12 testimony is?

13 A: It is still a very painful
14 experience for me. I still have
15 memories of those horrible things that
16 those people did, and the miserable,
17 miserable working experience. Even
18 though it is a more pleasant
19 environment, now I still keep to myself.
20 I do my job and go home and I don't
21 interact with people the way I used to.
22 I find it very stressful and hard to
23 perform my duties.

24 Q: Do you want a minute; do you
25 want to break for a minute?

PAGE 82

1 A: No.

2 Q: Sammi Paragraph 16 alleges that
3 Ms. Szabo, I don't know if I spelled it
4 right there, I guess I did. Ms. Szabo,
5 has directly participated and ratified
6 the misconduct that it says the
7 allegation there is even providing
8 misleading information to Senator
9 Specter about the plaintiff and her
10 position situation in the Medical
11 Center. Can you tell us what you; give
12 us more detail about that please?

13 A: I never really had a face-to-
14 face contact with Ms. Szabo on any of
15 these allegations, any of these reports.
16 When I asked her if I had contact with
17 me. It was early in the beginning of
18 March, but she wrote a letter in
19 response to Senator Specter's letter
20 that I was---

21 Q: I'm sorry, can you keep-

22 A: She made a response to Senator
23 Specter that I was working at a nursing
24 home. Which I didn't, I've never worked
25 in a nursing home. I worked in personal

PAGE 83

1 care home which involves different
2 responsibilities and duties. She also
3 made a statement that umm, my, my
4 services was not a good service, which
5 had never been an issue. She was not
6 aware my duties were, and where my job,
7 it's not something that she could've
8 made a statement about.

9 Q: Now Paragraph 17 says that:
10 you've been retaliated against and
11 harassed at an ever-increasing rate
12 because you complained about conditions
13 for veterans and, and yourself and sent
14 information to Senator Specter which is
15 you're alleging is your right under the
16 first amendment. What do you mean by
17 that?

18 A: I wrote to, to the inspector
19 regarding the changes in the care given
20 to veterans and how the, this has
21 affected my role as a social worker in
22 providing care to veterans. It has been
23 limited in terms of what you could do
24 and how we were able to perform our
25 jobs. There were more restrictions

PAGE 84

1 placed upon our time and less time to
2 provide services to veterans.

3 Q: Why do you feel that you were
4 retaliated against for complaining about
5 those things?

6 A: I think because, they didn't
7 feel that I should make it a point.
8 Regarding the care of veterans and the
9 services that were provided. And how
10 they were being provided.

11 Q: Do you, umm, feel that you were
12 retaliated against because you filed the
13 EEO complaints and EEOC complaints and
14 Merit Board complaints?

15 A: Yes I do.

16 Q: Paragraph 18 says that the
17 defendant's pay had been docked without
18 any notification or hearing. She had to
19 write to Senator Specter only then was
20 her pay restored. Now what, what is,
21 what is that particular allegation
22 about?

23 A: Within three months being in
24 the unit, I was charged with AWOL and I
25 didn't learn, I didn't learn about the

VIDEO DEPOSITION OF SAMMI WRIGHT

SHEET 22 PAGE 85

1 AWOL charges and my being docked for my
2 pay until the following payday, when I
3 confronted the financial person. He
4 told me that ah, Beulah Hadrick had
5 authorized it that I be charged AWOL on
6 that date. And that's when I went and I
7 confronted her with this.

8 Q: Now when the allegation you made
9 from Paragraph 20 is that you were
10 treated very, very badly, and you say
11 that white employees of equivalent rank
12 and having similar responsibilities are
13 not treated badly, Ms. Wright, explain
14 please.

15 A: That goes back to the previous
16 thing, that in terms of how I was being
17 watched, my work was being scrutinized.
18 And the daily messages in the computer
19 regarding my signing in and my
20 activities and also in terms of the
21 workload and in terms of being allowed
22 to educational training, I was denied.
23 And in terms of the monthly visits which
24 were not filed by the other social
25 workers, but I was singled out as a

PAGE 86

1 person who said, not to be doing my job.

2 Q: All right now, Sammi, Paragraph
3 21 says, that the alleges that you were
4 tormented and harassed, and that even
5 third persons watching report on her,
6 force her to follow demeaning reporting
7 procedures that no other employee has to
8 follow in the allegation is a classic
9 racist tactics excluding the allegations
10 that these are classic tactics used
11 against black victims of racial
12 mistreatment. What do you mean, can you
13 provide us more facts about what you
14 mean by third person watching reporting
15 on you and following you and forcing you
16 to report that other employees don't
17 have to do.

18 A: The operator has reported that
19 they were being called about my
20 activities. Also, the transportation
21 people, other workers also had been
22 interviewed or asked questions about my
23 activities. Each day when I would enter
24 the office there was one particular
25 person who would watch my activities and

PAGE 87

1 she would go back and report to Lola
2 Scott, who was working at the corner.

3 Q: What explanation was ever given
4 to you, for watching you, following you
5 or reporting on your activities?

6 A: Explanation---

7 Q: Sure, I'd like to know if Mr.
8 Kent ever give you and explanation as to
9 why you were surveilled more than all of
10 --

11 A: Mr. Kent, Mr. Kent doesn't get
12 involved in that sort of thing.

13 Q: Well, how about---

14 A: Well, he always told me to go
15 along. At one point he told me that I
16 have to find out myself, because I was
17 not wanted in the unit, in the
18 beginning.

19 Q: Did you take his words on not,
20 about not being wanted as a suggestion
21 that you should perhaps leaving?

22 A: I even tried to leave. I put
23 in, I asked to be transferred to another
24 unit, and I was denied.

25 Q: And who denied you, Sammi?

PAGE 88

1 A: Beulah Hadrick denied me, I
2 guess it was just disapproved.

3 Q: Well, did Mr. Shreve, Dr.
4 Shreve, ever tell you why you were being
5 monitored so closely, why the poster was
6 taken off our door any of those things?

7 A: Mr. Shreve did not tell me why
8 the poster was taken off. Why I should
9 take the poster off, he just demanded
10 that I take it off and that I keep my
11 door open. Mr. Shreve refused to have
12 any, any contact with me regarding these
13 issues. On occasion, I did ask to speak
14 with him regarding some of the concerns
15 I had and he wouldn't meet with me. He
16 told me to just write a list and give it
17 to his secretary.

18 Q: And why did, why do you want to
19 talk to Dr. Shreve?

20 A: Well Dr. Shreve was over Beulah
21 Hadrick.

22 Q: So he---

23 A: So he would've been the person
24 in charge and the man to speak with,
25 these were the two people who were, the

VIDEO DEPOSITION OF SAMMI WRIGHT

SHEET 23 PAGE 89

1 **second person on the line.**

2 Q: Are you alleging--- I'm sorry,
3 I'm sorry, are you done?

4 A: In following the chain of
5 command, he would've been the person I
6 should speak with since I'm having
7 problems the other two people.

8 Q: Umm, Beulah Hadrick ever give
9 you an explanation on why these things
10 were being done to you? Did she ever
11 tell you what it was about?

12 A: Beulah Hadrick was always very
13 nasty, very curt and very distant with
14 me. Her approach was always a
15 demanding, you do this, you do that,
16 there was no explanation, there was no
17 discussion. There was no way. That's
18 just the way it was.

19 Q: Let me go back and repeat that,
20 that question. Is, is, is Beulah
21 Hadrick African American? Is she black,
22 a common, a black citizen or black
23 person?

24 A: She's a black person.

25 Q: Based on your experiences, did

PAGE 90

1 she treat white employees at the same
2 level, that you were doing the same
3 types of things better than you?

4 A: I thought she was treating
5 white employees better.

6 Q: And is it your allegation that
7 Beulah Hadrick mistreated you on account
8 of your race. Based on your experiences
9 on the job?

10 A: Based on my experiences on the
11 job, yes.

12 Q: Okay. Cathy ah, about fifteen
13 minutes probably left on the video tape,
14 it's ten minutes to twelve, I want to
15 make a suggestion. I'm sure you're
16 going to have questions.

17 Frye: Um-hum.

18 Q: And I'm going to make a
19 suggestion to let you prepare a little
20 bit, to take a lunch break now. I'm
21 very hungry and I don't feel well with
22 this cold. If, if that's okay with you,
23 I would sort of like, maybe finish by
24 noon anyway just because I'm hungry,
25 it's just a suggestion. Whatever you

PAGE 91

1 say goes. I know it's your deposition.

2 Frye: No, that's fine, I don't mind
3 taking a break. I'm concerned about,
4 that Dr. Shreve is going to get here at
5 1:00 p.m.---

6 Bailey: Well, let's stop and do
7 him at 1:00 p.m., if we have more, we'll
8 finish up, because I want her to be here
9 when Dr. Shreve is here.

10 Frye: Okay, that's fine. That
11 sounds good.

12 Bailey: Is that okay?

13 Frye: Yeah, so should we be back
14 here a few minutes before 1:00 p.m.?

15 Bailey: Oh, we'll take a---

16 Frye: I'm sorry.

17 Bailey: No, that's great, that
18 will give you more time.

19 Frye: I'm going to go home for a
20 little bit.

21 Bailey: Okay, now that's great. I
22 think that'll be fine, would you please
23 suspend the tape at this time, and I'm
24 going to come back later.

25 Video Operator: We're suspending

PAGE 92

1 video operation the time now is 11:43
2 a.m.

3 Bailey: Ladies and gentlemen,
4 please be advised that there is a tape
5 recorder in it.

6 Video Operator: Ladies and
7 gentlemen, please be advised that video
8 operations are on and now is 12:30 p.m.,
9 and we are continuing the deposition of
10 Sammi D. Wright.

11 Frye: Ah, Ms. Wright, I have a few
12 more questions. Umm, Mr. Bailey asked
13 you about the MSPB proceeding which
14 resulted in your reinstatement at the
15 VA. Ah, that was a, you were reinstated
16 as a result of this settlement, is that
17 right?

18 Wright: Yes.

19 Q: Approximately, how much did you
20 earn in your part time position while
21 you were not working at the VA?

22 A: Very minimum wages---

23 Q: Can you give me an est---

24 A: It was just a part time, part
25 time.

VIDEO DEPOSITION OF SAMMI WRIGHT

SHEET 24 PAGE 93

1 Q: Can you give me an estimate of
2 how much you earned per weekly.
3 A: Let's see maybe, sometimes less
4 than a hundred dollars, I guess,
5 something like that.
6 Q: Less than a hundred dollars.
7 A: It wasn't like a twenty hours a
8 week or like that, it was usually ten or
9 less hours.
10 Q: Okay, and what was the job?
11 A: Sales associate.
12 Q: When you say a hundred dollars,
13 you mean, a week?
14 A: Yes.
15 Q: Okay, umm, you also said that
16 you were reinstated because the
17 procedures were not proper. If you
18 know, can you tell me what was wrong
19 with the procedures?
20 A: It has something to do with
21 what process in which they went about to
22 terminate me, was not correct.
23 Q: Okay.
24 A: I was not given the time period
25 in terms of correcting whatever needs,

PAGE 94

1 to what was not correct.
2 Q: I see, is the term PIT, does
3 that stand for Performance Improvement
4 Time?
5 A: Yes.
6 Q: Okay. And you were not given
7 that?
8 A: No.
9 Q: Okay.
10 A: The first evaluation was due
11 December and that's when I was
12 dismissed.
13 Q: Umm, you mentioned to Mr.
14 Bailey that document showed that other
15 social workers did not make ah, visits
16 to all of their veterans every month.
17 Do you have any of those documents?
18 A: Yes, I do.
19 Q: Can you please provide them to
20 your attorney to provide them for me?
21 Thank you. Now, when Mr. Bailey asked
22 you about umm, your claim against
23 Charlene Szabo, you mentioned that she
24 had misrepresented facts in her letter
25 to Senator Specter.

PAGE 95

1 A: Um-hum.
2 Q: Are you claiming that she did
3 anything else to you?
4 A: She refused to meet with me in
5 terms of ah, discussing this case.
6 Q: Anything else?
7 A: In terms of what?
8 Q: Are there any actions that show
9 Szabo---
10 A: She signed off on all that
11 information that was given to her
12 regarding the extensions, the reprimand,
13 the termination or whatever.
14 Q: Anything else?
15 A: That's pretty much it.
16 Q: Mr. Bailey went through the
17 paragraph in reference to paragraph 20.
18 I believe that you testified that white
19 employees have been treated better than
20 you. So I would like to explore just
21 briefly is, is it your testimony that
22 the, the reporting requirements that
23 were imposed on you concerning your
24 schedule and so on, were imposed because
25 of your race?

PAGE 96

1 A: I didn't say the reporting
2 requirements---
3 Q: No, I'm asking you if that's
4 what you believe, not, I don't think you
5 said that--- You went through a number
6 of different actions that you said were
7 harassment. And one of them was that
8 you were required to report to eight
9 different people by e-mail everyday, I
10 think. Is it your testimony that that
11 requirement was imposed because of your
12 race?
13 A: I'm saying it was imposed
14 differently from on me, than it was on
15 other employees.
16 Q: And can you tell me what other
17 employees that you are referring to that
18 were white?
19 A: Well there, after Greg left,
20 there was another one employee who has
21 now left too.
22 Q: And is it, is it your
23 understanding that these employees were
24 not required to follow the same
25 procedures that you were?

VIDEO DEPOSITION OF SAMMI WRIGHT

SHEET 25 PAGE 97

1 A: It is, from when I observed,
 2 the requirements were different.
 3 Q: Do you know specifically what
 4 was required of the white employees?
 5 A: In terms of ah, use of the car,
 6 there was an incident where I was
 7 reprimanded for having used my car to
 8 make a home visit and when I pointed out
 9 that one of the other social workers was
 10 using their car and that person had not
 11 been reprimanded until after that, that,
 12 this person who was a white who had
 13 gotten some car transportation. Also,
 14 in terms of the ah, reporting, they were
 15 not calling up the garages and calling
 16 up the operator from other employees in
 17 terms of their contacts with those
 18 places.
 19 Q: Let me just go back to the
 20 reprimand you mentioned, was that, was
 21 that a formal reprimand?
 22 A: What?
 23 Q: The reprimand regarding the
 24 car?
 25 A: That was supposed to have been

PAGE 98

1 a part of the ah, that was a part of the
 2 ah, when you say formal, what do you
 3 mean, was something actually written up
 4 or---
 5 Q: Yes, was that part of
 6 progressive discipline? Was it put on
 7 the personnel file?
 8 A: I think that was a part of the
 9 original reprimand; and it was later
 10 dropped.
 11 Q: Now, in your chronology in
 12 which your attorney has given me a copy
 13 of the pages. If you look on your
 14 chronology, you can see there that on
 15 4/18, it says: Scott Shreve entered my
 16 office very mad, saying loud, demanded I
 17 take the poster off the door and I keep
 18 my door open. That's 4/18/00. Now if,
 19 at your earlier deposition, I asked you
 20 when umm, when this incident occurred
 21 and you did not recall. Does this
 22 refresh your recollection and legally
 23 was accurate that this incident occurred
 24 on April 18, 2000?
 25 A: I believe it happened.

PAGE 99

1 Q: Now, to get back to the umm,
 2 the incidents of harassment that you,
 3 described under Mr. Bailey's question.
 4 Is it, is it your belief that you were
 5 charged with AWOL because of your race?
 6 A: Yes, that was my belief.
 7 Q: Is it your belief that your pay
 8 was docked because of your race?
 9 A: Yes I believe that, that's
 10 exactly what happened.
 11 Q: Is it, do you, is it your
 12 belief that you were suspended because
 13 of your race?
 14 A: All of the behaviors, the
 15 mistreatment are based upon the fact
 16 that I was a black female.
 17 Q: Okay, that's all ma'am.
 18 Bailey: Do you know whether the
 19 ultimate EEO decision was that you had
 20 been retaliated against?
 21 A: Does the---
 22 Bailey: The EEO or EEOC, do you
 23 know what they're decision was? Or did
 24 they even address that issue, if you
 25 know.

PAGE 100

1 A: I have copies of it. I can't,
 2 I can't recall specifically---
 3 Bailey: Do you have those stories,
 4 that's all right, I don't have anything
 5 further Cathy.
 6 Frye: Okay, I guess we're done.
 7 Bailey: Is Mr. Shreve coming?
 8 Frye: Oh, he should be here, he's
 9 supposed to be here a little before
 10 1:00p.m.
 11 Video Operator: It is now, 4:40
 12 p.m., the deposition of Sammi D. Wright
 13 is completed. We are now suspending
 14 video deposition.
 15 Bailey: Okay, ah, just one last
 16 thing Cathy, to get it on the record,
 17 umm, the other related case things are,
 18 there are pleadings and decisions and
 19 all kind of stuff, you don't have any
 20 objection to be included, by reference.
 21 I mean they stamped, they stamped for
 22 it, I don't mean that, but I mean like
 23 these exhibits and stuff.
 24 Frye: No I don't have any.
 25 Bailey: I mean I'm not asking for

VIDEO DEPOSITION OF SAMMI WRIGHT

SHEET 26 PAGE 101

1 it obviously.

2 Frye: You're not asking for me to
3 agree with you, just that, they can be--

4 -

5 Bailey: They can be exhibits that
6 can---

7 Frye: I agree, I agree that they
8 can be-

9 Bailey: They can be exhibits that
10 can be objected. Okay, thank you.

DEPOSITION OF SAMMI WRIGHT

-	221-9500 [1] 2:10
-i'm [1] 77:14	228 [1] 2:14
1	3
1/08 [1] 68:18	3 [1] 70:18
1/8 [1] 5:8	3/17 [1] 5:4
1:00 [3] 91:5,7,14	30 [1] 49:4
1:00p.m [1] 100:10	31 [2] 64:18,20
10/13 [1] 65:5	31st [5] 48:15 50:3 62:23,24 65:1
10/16/00 [2] 48:17,18	4
10/16/02 [2] 48:15,16	4/18 [1] 98:15
10/18 [2] 68:9,13	4/18/00 [1] 98:18
10/26 [1] 65:15	4:40 [1] 100:11
10/31 [1] 65:17	4146 [1] 1:5
10th [1] 69:21	4311 [1] 2:9
11:43 [1] 92:1	4482 [1] 2:16
12 [1] 70:19	4th [1] 61:7
12/18 [1] 68:13	5
12/21 [1] 68:15	5th [1] 14:11
12:30 [1] 92:8	6
12th [5] 1:4 5:8 65:25 66:1 67:20	6th [1] 2:9
13 [1] 75:3	7
13th [3] 65:25 66:1 67:24	717 [2] 2:10,15
14th [2] 65:2 67:20	8
15 [1] 75:20	86 [1] 30:18
16 [1] 82:2	9
16th [2] 49:3 67:20	9/18 [3] 62:25 64:22,23
17 [1] 83:9	99 [1] 72:10
17046 [1] 1:6	99% [1] 11:7
17108 [1] 2:15	9th,2002 [1] 3:3
17110 [1] 2:10	A
18 [1] 84:16	a.m [1] 92:2
18,2000 [1] 98:24	able [5] 25:18,20,22 36:12 83:24
18th [6] 37:11 51:4 62:24 63:1,15 64:13	acceptance [1] 55:3
18th,2000 [1] 51:25	accepted [8] 52:4 54:20,23 55:1 58:8,9,11,12
1973 [1] 33:5	access [3] 8:2 14:4 27:13
1986 [1] 35:17	according [3] 61:17,17,18
1999 [1] 73:18	account [1] 90:7
1cv:00-1657 [1] 1:11	accurate [1] 98:23
2	accusation [1] 42:19
20 [2] 85:9 95:17	accused [1] 76:10
2000 [3] 18:18,18 9:1,15 10:20 11:1,24 12:11,20,20 13:11,13,13 15:21	acknowledged [1] 76:12
37:11 43:17 44:12 48:17 49:3 50:17 51:4,5 55:6 63:15 65:12 71:2,13	action [4] 2:13 49:9 66:20 77:13
72:22,24,25 75:6	action's [1] 58:4
2002 [1] 1:4	actions [3] 38:8 95:8 96:6
21 [1] 86:3	active [2] 30:12,15
21st [6] 15:16,19 50:14,17 51:4 58:24	activities [5] 85:20 86:20,23,25 87:5
21st,2000 [1] 51:23	
221 [1] 2:15	

DEPOSITION OF SAMMI WRIGHT

acts ^[1] 56:9
actual ^[1] 68:10
actually ^[12] 5:3,7 36:25 42:23 50:2 58:14 62:22 68:5 75:11,16 78:6 98:3
add ^[1] 5:6
additional ^[1] 3:9
address ^[5] 1:5 2:4,9,14 99:24
administration ^[9] 24:14 30:9 37:15 39:4,8,11 44:5 70:23 71:4
administrative ^[13] 23:10 37:17 41:11,15 48:3 51:20 52:20 53:1 57:7 58:1 66:3,5 72:17
administratively ^[1] 24:15
administrators ^[1] 40:19
advance ^[1] 8:7
advancement ^[2] 33:14 34:10
advantage ^[1] 13:21
advise ^[1] 1:2
advised ^[3] 64:7 92:4,7
affect ^[1] 80:11
affected ^[1] 83:21
african ^[1] 89:21
agencies ^[2] 27:5 30:20
agency ^[5] 36:6 40:12,15 41:7 42:5
ago ^[1] 12:5
agree ^[6] 8:23 24:18,19 101:3,6,6
agreed ^[2] 67:16 70:9
agreement ^[3] 67:4,9 69:6
ah ^[78] 4:15 9:8,12,17 10:2,12 13:16 14:1,1,24 16:2 17:18 25:20 31:7, 21 32:3,3,6,9 35:12,22 36:1,10,11 37:2,5,6,12,15,15 39:22 40:6,17,18 41:9,9,22 42:16 44:17 46:9,19,21 47:17,19 49:9 50:22 51:2 52:7,18,21 54:3 55:16,23 56:22 65:15 66:9,10,24 69:2 70:25 71:21 72:21 73:1,21 74:3,18 75:13 85:4 90:12 92:11,15 94:15 95:5 97:5,14 98:1,2 100:15
ahead ^[7] 32:3 46:17 52:9 66:21 76:24 79:22 81:7
albert ^[1] 1:5
allegation ^[9] 62:13 76:3,7,8 82:7 84:21 85:8 86:8 90:6
allegations ^[7] 17:19 51:1 55:8 61:8 76:14 82:15 86:9
alleged ^[2] 55:13 71:21
alleges ^[3] 18:3 82:2 86:3
alleging ^[3] 43:21 83:15 89:2
allowed ^[3] 78:1,4 85:21
almost ^[1] 49:4
already ^[2] 27:1 66:23
although ^[2] 3:6 48:7
amended ^[1] 65:4
amendment ^[1] 83:16
american ^[1] 89:21
another ^[22] 7:6 15:25 28:2 34:10,11 37:13 44:23 46:3,4 47:12,22,25 49:22 55:18 56:21 63:9,11 67:11 71:25 81:1 87:22 96:20
answer ^[14] 1:24 3:18,21 4:1 9:3 20:25 21:4,17 24:21 32:22 34:19 41:6 63:23 75:12

answering ^[1] 38:10
anticipating ^[1] 17:17
anybody ^[1] 53:13
anyway ^[2] 14:21 90:24
apologize ^[3] 8:8 10:23 24:25
appraisal ^[1] 68:11
appreciate ^[2] 3:11 7:8
approach ^[1] 89:14
appropriate ^[2] 4:1 14:15
approved ^[1] 67:17
approximately ^[2] 12:6 92:19
approximation ^[1] 12:25
april ^[5] 43:15 54:5,6,6 98:24
area ^[4] 26:22 27:11 41:11,15
areas ^[4] 13:22 25:10 27:16,20
argumentative ^[1] 20:22
arise ^[1] 72:7
arlen ^[4] 7:15 38:17 40:3 42:22
around ^[2] 56:7 75:6
arrested ^[1] 36:23
assigned ^[10] 12:9 13:14 15:3,6,15,23 25:7 28:23 29:6,9
assist ^[2] 28:11,14
assistant ^[1] 2:12
associate ^[1] 93:11
assume ^[1] 52:14
attached ^[1] 43:24
attempted ^[1] 42:12
attend ^[1] 78:1
attendance ^[4] 23:11,14 51:11 77:24
attention ^[1] 51:13
attorney ^[11] 2:12 32:15 53:19,22 54:7,12 57:6 63:19 64:6 94:20 98:12
attorneys ^[1] 32:10
august ^[3] 50:7 61:7 65:11
authorized ^[1] 85:5
available ^[3] 26:16,20 27:22
avoid ^[1] 3:10
aware ^[3] 13:23 42:8 83:6
awol ^[18] 42:15,19 43:9,11,22,24 44:19 46:6,9,11 54:3 66:22 76:10 80:23 84:24 85:1,5 99:5

B

b-i-r-o ^[1] 39:19
back ^[29] 3:5,8 8:17 13:21 14:20 35:16 36:12 40:10 46:25 50:7 51:8 56:23 58:22 60:5 62:9 65:11 66:24 67:18 68:23 71:9 79:3 80:21 85:15 87:1 89:19 91:13,24 97:19 99:1
background ^[2] 30:3 32:14
badly ^[2] 85:10,13
bailey ^[76] 1:15,20 2:6,7,17,21 3:4 4:15,17 5:2,5,10,18,21 6:14,16,22,

DEPOSITION OF SAMMI WRIGHT

25 7:10,21,25 8:15 9:3 10:23 11:4,10,18 12:3,21 13:4,9,18 14:9,12 15:9,
12,17 16:20 17:4,16,24 18:7 20:13,20 23:23 24:3,9,22,24 28:17,20,25
30:22 32:3,5 34:18 37:4,12 91:6,12,15,17,21 92:3,12 94:14,21 95:16 99:
18,22 100:3,7,15,25 101:4,8

bailey's ⁽¹⁾99:3

based ⁽¹⁰⁾17:18 44:19 48:22 57:19 61:20 76:3 89:25 90:8,10 99:15

baseless ⁽¹⁾62:2

basic ⁽¹⁾25:22

basically ⁽¹⁾42:2

basing ⁽¹⁾14:21

basis ⁽⁷⁾5:15 45:13,15 77:2,10,12 79:5

became ⁽¹⁾72:20

become ⁽¹⁾52:19

began ⁽³⁾14:25 30:7 56:20

begin ⁽²⁾4:3 37:20

beginning ⁽²⁾82:17 87:17

behaviors ⁽¹⁾99:14

belief ⁽¹⁷⁾17:20 18:10,11,15,18,19,24 19:2,7,8,10,18 20:17 99:4,6,7,
12

believe ⁽¹⁵⁾5:21 7:13,14 12:4 18:20 20:11 21:9,12 22:14 63:24 70:
15 95:18 96:4 98:25 99:9

belle ⁽⁴⁾75:12,17,20 77:18

best ⁽⁷⁾25:5 30:22,24 34:20,22 48:21 55:5

better ⁽⁴⁾33:20 90:3,5 95:19

between ⁽³⁾12:10 51:3,23

beulah ⁽²³⁾1:12 43:23 52:8 53:7,9,18,21 54:10 62:10 63:18 68:1 72:
18,19,20 81:1,6 85:4 88:1,20 89:8,12,20 90:7

big ⁽¹⁾14:17

bills ⁽¹⁾70:3

biro ⁽¹¹⁾39:16,21 40:1,6,8,10,14,19 41:7 42:4,9

birthday ⁽¹⁾50:16

bit ⁽³⁾68:9 90:20 91:20

black ⁽⁹⁾45:19,20 75:21 86:11 89:21,22,22,24 99:16

board ⁽⁷⁾38:5,6 57:22,24 58:7,21 84:14

both ⁽¹⁾61:24

break ⁽⁴⁾16:21 81:25 90:20 91:3

brief ⁽²⁾7:3 37:5

briefly ⁽²⁾30:2 95:21

bring ⁽¹⁾54:17

broad ⁽²⁾32:9,19

brooklyn ⁽⁷⁾31:11,14,23,25 35:10 36:15,17

brought ⁽³⁾58:15 60:5 79:3

bureau ⁽¹⁾42:24

bureaucracy ⁽¹⁾54:25

burner ⁽¹⁾58:22

C

call ⁽³⁾26:20 41:8 73:17

called ⁽⁸⁾39:3 41:20 57:21 78:12 79:8,16 80:5 86:19

calling ⁽³⁾79:25 97:15,15

calls ⁽⁴⁾46:13 78:25 79:11 80:20

came ⁽⁹⁾6:8 45:9 49:22 56:4 69:2 71:9 78:21,22,24

cannot ⁽¹⁾59:7

capability ⁽²⁾27:9,12

caption ⁽¹⁾1:11

car ⁽⁸⁾76:16 79:2,3 97:5,7,10,13,24

care ⁽³⁴⁾4:8 9:6,13,15 10:8,21 11:2 15:1,11,12,15 22:21 25:8,15 27:
11 28:23 29:6,10,14,18 31:6 36:6 39:23 42:17 72:21,23 73:12 75:5 80:
3,20 83:1,19,22 84:8

case ⁽²¹⁾1:8 3:14 6:4,9 8:4 9:25 32:18 37:7,13 52:4 56:21 58:12 67:
13,14 69:4,4 71:19,20 78:2 95:5 100:17

cases ⁽⁶⁾69:5 71:17 74:2 77:11,17,23

catch ⁽¹⁾10:24

catherine ⁽¹⁾2:11

cathy ⁽¹³⁾3:4 8:2,7,12 13:19 23:24 47:10 48:7 52:22 70:24 90:12 100:
5,16

cell ⁽¹⁾43:6

center ⁽¹⁾82:11

certain ⁽³⁾21:19,20 79:9

certainly ⁽³⁾25:11 28:6 30:10

chain ⁽⁴⁾53:13 60:10,11 89:4

chance ⁽¹⁾3:8

change ⁽³⁾59:5,10 65:16

changed ⁽⁴⁾46:11 60:1,4 65:6

changes ⁽¹⁾83:19

characterizations ⁽¹⁾4:18

charge ⁽²⁾74:9 88:24

charged ⁽⁴⁾80:22 84:24 85:5 99:5

charges ⁽³⁾43:11 62:2 85:1

charlene ⁽⁵⁾1:12 53:10 73:2,4 94:23

check ⁽³⁾8:6 33:16 79:8

child ⁽¹⁾36:5

children ⁽²⁾31:9 35:20

chronological ⁽¹⁾4:5

chronologically ⁽¹⁾51:22

chronology ⁽⁵⁾44:14 45:25 46:24 98:11,14

circumstances ⁽¹⁾71:23

citizen ⁽¹⁾89:22

civil ⁽⁶⁾53:15,23 54:13 63:6,20 64:14

claim ⁽⁵⁾37:21 48:4 53:1 66:3 94:22

claiming ⁽¹⁾95:2

claims ⁽²⁾49:1 51:20

clarify ⁽¹⁾15:13

classic ⁽¹⁾86:10

classis ⁽¹⁾86:8

clear ⁽¹⁾20:3

cleared ⁽¹⁾62:14

client ⁽¹⁾80:15

DEPOSITION OF SAMMI WRIGHT

closely [3] 8:6 51:13 88:5
closer [1] 36:2
cold [2] 56:2 90:22
come [10] 3:8 28:2 37:1 46:25 69:1 79:9,24 80:21 81:5 91:24
coming [2] 31:12 100:7
command [3] 60:10,12 89:5
comment [3] 46:7 79:18 81:2
comments [3] 78:23 79:13,16
common [1] 89:22
community [1] 31:16
commute [1] 32:1
commuter [1] 46:15
comp [5] 78:2,5,11,13,13
compensated [1] 78:15
complain [3] 38:17 39:20 40:3
complained [2] 39:1 83:12
complaining [2] 40:1 84:4
complaint [44] 5:15 17:19 18:2,6,9 37:6,9 38:5,19 42:5 44:2,3,19, 23 45:4,7,14,15,25 46:2,4 47:4,7 48:14,19,24 49:11 51:6 52:7,13 53:6 54:24 55:9,14 56:19 57:13 58:16,20 63:9,11 70:15,19 74:12,14
complaints [9] 47:2 51:19 52:1 54:18 55:10 76:5 84:13,13,14
completed [2] 57:17 100:13
computer [19] 17:1 25:16,19,23 26:16,21,23 27:7,8,10,21 28:3 46: 14,15,16,18 61:25 79:6 85:18
computers [2] 25:9 27:15
concern [1] 39:22
concerned [1] 91:3
concerning [2] 5:14 95:23
concerns [2] 40:20 88:14
concerted [1] 75:24
conclusions [1] 56:4
conditions [1] 83:12
confidential [1] 74:17
confining [1] 76:4
confirmation [1] 55:23
confronted [2] 85:3,7
consider [1] 14:4
considering [1] 53:14
consistent [1] 20:6
consistently [2] 17:13,15
constant [1] 80:17
constantly [1] 78:20
construct [1] 30:23
contact [17] 40:11,14 41:22 42:1,12,21,24 46:9,21 51:9 73:10,15 76: 12 79:12 82:14,16 88:12
contacted [8] 40:19 41:2,12 42:2,4,7,13 51:10
contacts [3] 17:3 26:10 97:17
contemporaneous [1] 40:2
continued [3] 2:25 46:5 56:10

continuing [2] 3:1 92:9
continuous [2] 71:7,8
convenient [1] 26:21
conversations [1] 64:1
convincing [1] 62:14
cooperative [1] 14:23
copies [4] 6:21 7:13,14 100:1
copy [11] 4:11,19 7:5 37:8 47:10,15 48:9 52:16 55:22 70:16 98:12
corner [1] 87:2
correct [25] 7:11 34:14 36:16,19 38:15,16 39:6 44:6,7 55:10 57:4,9, 10 58:4 60:23 64:15 66:4 68:24 69:23 70:6 75:1,11,14 93:22 94:1
correcting [2] 60:17 93:25
coughing [1] 56:1
could've [1] 83:7
couldn't [2] 60:3 73:22
counsel [5] 2:7,12 3:23 45:2 47:11
counseled [5] 28:21 29:5,12,16,21
counsels [1] 2:2
couple [1] 79:17
course [1] 3:7
court [4] 1:9 49:9 51:6 64:4
cover [2] 72:5 74:2
create [1] 75:24
credentials [1] 22:5
credit [2] 78:17,18
cruel [1] 75:23
curt [1] 89:13
cycles [1] 59:9

D

daily [3] 78:20 79:5 85:18
damages [5] 32:24 66:11,16,18 67:10
date [19] 1:4 5:7,19 25:17 37:9,10 49:14,17,20,21,23 50:1 51:5 56:22 63:12,13 64:12 65:17 85:6
dates [4] 4:24,25 61:22,24
day [8] 9:16 45:9 47:22 50:16 58:14 59:9 66:25 86:23
days [17] 49:4,7 59:5,6,13,18,22 60:2,19,22 61:1,3,5,6 65:6,7,10
dc [1] 41:16
dead [1] 69:15
deal [2] 51:16 58:19
deals [1] 57:25
dealt [1] 37:14
december [1] 94:11
decide [1] 69:13
decision [2] 99:19,23
decisions [1] 100:18
dedicated [1] 70:22
defendant's [1] 84:17
defendants [3] 2:13 63:5 76:1

DEPOSITION OF SAMMI WRIGHT

defining [1] 78:11
definitely [2] 18:23 31:20
degree [1] 30:4
demanded [4] 45:10 80:21 88:9 98:16
demanding [1] 89:15
demeaning [1] 86:6
denied [4] 85:22 87:23,24 88:1
dependent [1] 57:16
depending [1] 10:4
depends [1] 9:18
deponer [1] 1:14
deposition [15] 1:8 3:1,2,14 4:4 7:12 13:22 38:23,25 43:3 91:1 92:9 98:19 100:12,14
depositions [1] 58:13
described [1] 99:3
description [2] 23:6,25
designed [2] 20:23 32:13
detail [1] 82:12
developed [1] 51:21
diaries [1] 6:19
diary [1] 5:13
difference [1] 1:21
different [13] 5:1 10:14 46:21 48:2 51:14 59:11,17,20 80:19 83:1 96:6,9 97:2
differently [1] 96:14
difficulty [1] 16:11
directly [3] 75:13 81:5 82:5
director [2] 41:19 73:4
directs [1] 4:2
disadvantages [1] 6:2
disagreeing [1] 24:4
disapproved [1] 88:2
disciplinary [7] 58:3 66:20 71:1,12,15 75:25 77:13
discipline [3] 62:16 74:22 98:6
disciplined [6] 29:8 70:22 73:19 74:7 76:18,18
discovered [1] 6:12
discoveries [1] 56:23
discovery [5] 6:11,17,24 14:6 32:8
discussed [1] 7:7
discussing [2] 6:5 95:5
discussion [2] 7:1 89:17
dismissed [4] 46:10 70:11,13 94:12
disorganized [1] 7:18
disparate [1] 75:23
disregarded [1] 62:11
distant [1] 89:13
district [3] 1:10 49:8 64:4
docked [4] 8:21 84:17 85:1 99:8
docketed [1] 1:10

docs [1] 48:12
document [3] 6:6 48:25 94:14
documents [15] 6:1,18 7:3 42:25 43:2 48:1,20 52:19,24 56:20 61:12 66:19 76:11 77:7 94:17
doers [1] 55:13
doing [6] 18:4 25:5 27:1 60:16 86:1 90:2
dollars [3] 93:4,6,12
don [3] 2:6 4:14 24:20
done [6] 17:15 21:22 69:15 89:3,10 100:6
door [12] 45:11,11,12 77:19 78:21,22,24,25 88:6,11 98:17,18
doors [3] 45:18,18 77:16
down [2] 29:3 79:25
dropped [3] 43:11 49:21 98:10
due [1] 94:10
during [14] 10:19 11:17,22 12:7,8 17:22 18:13,22 25:14 44:25 52:5,11 57:20 69:25
duties [4] 17:10 81:23 83:2,6
duty [2] 30:12,15

E

e-mail [1] 96:9
each [9] 10:12,20 11:1 13:3,7 33:13,16 51:10 86:23
earlier [4] 38:23,24 43:3 98:19
early [1] 82:17
earn [1] 92:20
earned [1] 93:2
easier [1] 32:1
east [5] 33:9,19,24 34:3,15
eastern [5] 33:22,22 34:1,8 35:3
educational [3] 30:2 77:24 85:22
eeee [1] 57:17
eeo [32] 37:23,25 38:14,18 44:2,3 45:14,23,25 47:2,4 48:5,15,20 49:11 51:19 52:1,15 53:6 54:18,23 55:7,14 56:4,8 58:16,19 63:9,11 84:13 99:19,22
eeoc [6] 37:25 44:3 56:17 57:12 84:13 99:22
effort [1] 75:24
efforts [1] 66:8
eight [6] 36:11 43:12,13,21 46:21 96:8
eighteen [2] 71:5,5
either [3] 5:18 8:13 16:20
embarrassed [1] 80:12
employee [5] 58:2 59:7 70:22 86:7 96:20
employees [15] 38:12 45:16 60:13 79:15 80:2 85:11 86:16 90:1,5 95:19 96:15,17,23 97:4,16
enter [2] 17:1 86:23
entered [2] 27:2 98:15
entries [1] 5:13
environment [1] 81:19
equipment [2] 25:9 27:16

DEPOSITION OF SAMMI WRIGHT

equivalent ⁽¹⁾ 85:11
erring ⁽¹⁾ 20:23
error ⁽¹⁾ 60:17
escalate ⁽¹⁾ 56:10
est ⁽¹⁾ 92:23
establish ⁽¹⁾ 6:20
estimate ⁽¹⁾ 93:1
europe ⁽⁴⁾ 30:13 31:5 35:14,17
evaluation ⁽³⁾ 29:25 68:14 94:10
even ⁽⁸⁾ 24:18 74:21 80:3 81:17 82:7 86:4 87:21 99:24
events ⁽¹⁾ 8:24
eventually ⁽¹⁾ 56:21
ever-increasing ⁽¹⁾ 83:11
everyday ⁽¹⁾ 96:9
everything ⁽³⁾ 3:6 4:6 8:4
evidence ⁽³⁾ 62:5,12,13
exact ⁽⁴⁾ 53:24 63:13 64:11,12
exactly ⁽¹⁾ 99:10
example ⁽²⁾ 20:14 22:7
examples ⁽¹⁾ 20:14
exception ⁽¹⁾ 71:9
exchanged ⁽¹⁾ 7:13
excluding ⁽¹⁾ 86:9
excuse ⁽³⁾ 44:9 50:13 75:13
exhibits ⁽³⁾ 100:23 101:4,8
expensive ⁽¹⁾ 34:24
experience ⁽⁴⁾ 79:4 81:11,14,17
experiences ⁽³⁾ 89:25 90:8,10
explain ⁽⁴⁾ 20:11 25:12 32:6 85:13
explanation ⁽⁵⁾ 87:3,6,8 89:9,16
explore ⁽¹⁾ 95:20
expressly ⁽¹⁾ 67:15
extended ⁽¹⁷⁾ 4:8 15:1,11,12,15 25:8,15 27:11 28:23 29:6,10,14,18
42:17 72:23 73:12 75:4
extension ⁽²⁾ 14:8,10
extensions ⁽¹⁾ 95:12
extremely ⁽¹⁾ 32:9

F

face ⁽¹⁾ 82:14
face-to ⁽¹⁾ 82:13
facility ⁽⁴⁾ 68:6 73:5,6 80:22
fact ⁽⁷⁾ 29:24 47:8 54:14,19 62:20 74:6 99:15
facts ⁽⁴⁾ 5:14 70:20 86:13 94:24
fairness ⁽²⁾ 7:10 23:24
false ⁽²⁾ 49:2 61:13
family ⁽¹⁾ 27:4
far ⁽¹⁾ 57:18
fashion ⁽²⁾ 75:23 77:7

february ⁽⁷⁾ 13:13 15:16,19 72:21,24,25 75:6
federal ⁽¹⁸⁾ 32:8 36:12 37:15,16 38:11,14 49:8 51:5 53:14,23 54:12,
25 55:7 56:11 63:6,20 64:3,14
feel ⁽⁶⁾ 58:3 80:10 84:3,7,11 90:21
felt ⁽¹⁾ 80:12
female ⁽¹⁾ 99:16
few ⁽³⁾ 46:3 91:14 92:11
field ⁽²⁾ 26:19 79:13
fifteen ⁽¹¹⁾ 9:21 59:12,18,22 60:4,19 61:2,5 65:6,10 90:12
fifteen-day ⁽¹⁾ 59:7
file ⁽⁹⁾ 14:21 42:9 54:12 56:18 57:12 63:10,20 74:13 98:7
filed ⁽²⁰⁾ 37:7,23 38:4,18 48:14,23 49:8,10 51:5 53:1 54:18,24 56:8 58:
17 63:8 64:14 69:3 74:12 84:12 85:24
filing ⁽⁵⁾ 37:10,24 53:14,22 63:6
finally ⁽¹⁾ 56:23
financial ⁽¹⁾ 85:3
find ⁽⁵⁾ 8:11 50:5 79:25 81:22 87:15
fine ⁽⁷⁾ 2:22 5:10 40:25 63:23 91:2,10,22
finish ⁽⁵⁾ 15:17 17:16 29:1 90:23 91:8
finished ⁽⁴⁾ 29:2 52:9 81:8,9
fired ⁽²⁾ 36:20,21
first ⁽¹⁶⁾ 15:14,14,22 28:24,24 33:6 37:22 40:5 41:4 46:2 49:24 55:2
65:9 68:10 83:16 94:10
five ⁽¹⁾ 35:11
flex ⁽¹⁾ 78:12
fly ⁽²⁾ 24:17 69:13
folks ⁽³⁾ 14:16 53:12,12
follow ⁽²⁴⁾ 18:25 19:3,6,11,13,16,19,22 20:8,18 21:1,10,13,21 22:15,
19,24 23:13 28:4 41:5 71:22 86:6,8 96:24
following ⁽⁶⁾ 76:14,19 85:2 86:15 87:4 89:4
force ⁽²⁾ 76:1 86:6
forcing ⁽¹⁾ 86:15
forgive ⁽¹⁾ 56:1
form ⁽⁴⁾ 11:11,13,18 12:21
formal ⁽²⁾ 97:21 98:2
formed ⁽¹⁾ 5:14
forth ⁽²⁾ 51:8 56:23
forward ⁽¹⁾ 54:17
foster ⁽¹⁾ 31:6
foundation ⁽¹⁾ 4:23
four ⁽⁸⁾ 9:18 13:2,5,17 16:2,4 47:5 61:6
fourteen ⁽⁸⁾ 59:6,8 60:2,5,22 61:3 65:6,10
fourteen-day ⁽¹⁾ 59:19
framework ⁽¹⁾ 72:17
frequently ⁽¹⁾ 28:9
front ⁽¹⁾ 70:16
frye ⁽⁴⁰⁾ 1:19 2:11,11,20,22 3:12 6:10,15,17,23 7:9,20,24 8:14,16 14:8,
10,24 15:11,13,19 18:5,10 24:2,7,20 47:12 70:25 90:17 91:2,10,13,16,
19 92:11 100:6,8,24 101:2,6

DEPOSITION OF SAMMI WRIGHT

further ^[1] 100:5**G**garages ^[1] 97:15gave ^[3] 37:7 47:20 70:17gentleman ^[1] 60:9gentlemen ^[3] 1:2 92:3,7geographical ^[1] 9:18getting ^[3] 24:11 25:3 56:15give ^[18] 12:24 20:13 30:24 45:22,24 47:15,21 48:6 68:8 78:17,18 82:11 87:8 88:16 89:8 91:18 92:23 93:1given ^[18] 33:18 56:22 57:20 61:6,6 62:25 66:24 68:9 74:4 78:3,4,8 83:19 87:3 93:24 94:6 95:11 98:12got ^[4] 14:8,10 62:22 76:12gotten ^[2] 36:23 97:13government ^[3] 55:7 56:12 70:9graduate ^[1] 33:3graduating ^[1] 30:25great ^[4] 14:12 50:16 91:17,21greg ^[2] 28:13 96:19grievance ^[1] 37:23ground ^[1] 3:10group ^[2] 36:6 74:17guess ^[4] 82:4 88:2 93:4 100:6**H**hadrick ^[22] 1:12 46:18 53:7,9,18,21 62:10 68:1 72:18,19,20 75:9,14 81:1,6 85:4 88:1,21 89:8,12,21 90:7hadrick's ^[2] 43:23 54:10half ^[2] 35:4,8handle ^[1] 37:13handled ^[1] 66:3hang ^[1] 14:17happen ^[1] 46:5happened ^[18] 4:6 47:2 50:25 51:3,18 52:11 58:6,25 59:1 68:22,23 69:9,11,16,17 74:16 98:25 99:10happening ^[3] 24:10 39:5,6happy ^[2] 7:22 8:8harassed ^[2] 83:11 86:4harassment ^[9] 44:24 45:4,7,14 46:6 53:16 56:10 96:7 99:2hard ^[2] 79:14 81:22harris ^[2] 57:1,6harrisburg ^[2] 2:10,14head ^[1] 39:12health ^[11] 31:1,2 33:10,19,22,25 34:1,4,9 35:3 72:9hear ^[2] 32:19 40:9hearing ^[1] 84:18higher ^[2] 33:20 34:12himself ^[1] 72:1hired ^[2] 1:7 28:12history ^[4] 71:1,12,13,16hit ^[1] 59:18home ^[21] 10:3,15 13:3,7 31:17 36:2 71:23,25 72:21 73:24 76:16 78:6,9 80:3,20 81:20 82:24,25 83:1 91:19 97:8homes ^[23] 9:6,14,15,19 10:5,5,8,15,21 11:2,7,8,16 12:1,2,14,17 13:2,5 16:12 42:24 43:5,6hope ^[2] 7:16 56:1horrible ^[3] 79:4,4 81:15hospital ^[7] 25:10 26:18 27:17 31:4 33:8,12,17hours ^[9] 17:23 18:13,22 43:12,13,21 78:15 93:7,9human ^[1] 60:9humiliated ^[1] 80:13hundred ^[6] 9:12 12:7 13:1 93:4,6,12hungry ^[2] 90:21,24**I**i-g-h-t ^[1] 1:16idea ^[1] 24:11identified ^[1] 47:25identify ^[2] 2:3 15:10important ^[2] 24:1 29:3imposed ^[4] 95:23,24 96:11,13improper ^[1] 58:5improvement ^[1] 94:3incident ^[5] 54:3 77:15 97:6 98:20,23incidents ^[1] 99:2include ^[1] 52:23included ^[1] 100:20inclusive ^[1] 4:19income ^[1] 69:25incorporate ^[1] 52:23indeed ^[1] 43:19index ^[1] 6:11indicated ^[2] 23:23 43:25indicating ^[1] 16:24infer ^[1] 9:20information ^[9] 16:23 20:24 32:14,23 57:19 74:17 82:8 83:14 95:11informed ^[2] 50:9 53:17informing ^[1] 64:5initial ^[2] 44:17 47:6initially ^[2] 31:17 63:18initiated ^[2] 44:1,4inside ^[1] 80:10inspector ^[1] 83:18instruct ^[1] 32:21instructed ^[4] 27:14,18,23,25instruction ^[1] 28:5instructions ^[15] 19:1,4,6,12,17,23 20:5,8,19 21:10,24,25 22:16,

DEPOSITION OF SAMMI WRIGHT

24 23:18

insubordinate [3] 71:18,20 73:21**interact** [1] 81:21**internal** [2] 38:13 44:3**interpose** [1] 45:1**interrupt** [1] 13:19**interrupted** [1] 45:23**interview** [4] 52:6,17 55:19 56:24**interviewed** [2] 52:14 86:22**interviews** [1] 55:13**investigate** [1] 41:23**investigating** [1] 55:8**investigation** [6] 42:23 52:5 54:20 55:1,24 56:5**investigator** [1] 52:14**involved** [3] 59:17,20 87:11**involves** [1] 83:1**issue** [8] 43:9 66:10 69:15,15 74:20 76:6 83:5 99:24**issues** [2] 66:15 88:13**itself** [3] 39:4 69:14 73:6**J****jamaica** [3] 33:8,11,17**january** [3] 13:12,13 69:20**jeannie** [1] 72:13**job** [23] 17:10 23:6,24 24:15 26:4,6,18 33:6,13,14 36:20,22 42:1 60:15
70:5,10 74:20 81:20 83:6 86:1 90:9,11 93:10**jobs** [2] 30:7 83:25**judge** [5] 37:17 56:22,25 57:1,6**july** [10] 3:2 50:13,17 51:4,23 58:24,24 61:1,4 65:11**justice** [1] 57:7**justify** [2] 32:20 73:25**K****keep** [8] 17:4 44:21 45:11 55:25 81:19 82:21 88:10 98:17**kent** [10] 1:13 53:10 60:6,7 65:16 73:13,14 87:8,10,10**kind** [6] 38:2 49:17 59:15 74:19 80:15 100:19**knowledge** [2] 55:6 57:11**known** [1] 8:7**knows** [1] 34:20**L****ladies** [3] 1:2 92:3,6**lady** [1] 39:18**laid** [1] 46:24**lansen** [1] 72:13**large** [1] 10:15**larger** [1] 10:5**last** [10] 4:4 5:6,7,9,23 28:17 39:17 55:3,6 100:15**later** [6] 55:18 59:4 62:18 67:2 91:24 98:9**latitude** [1] 32:19**law** [2] 37:17 57:7**lawsuit** [6] 53:15,23 54:13 63:6,20 64:14**lawyer** [2] 41:1 56:25**lay** [2] 4:22 44:13**learn** [3] 55:20 84:25,25**learned** [3] 40:13 54:23 65:9**least** [5] 10:22 11:3 27:8 38:12 60:20**leave** [12] 4:12 31:13 33:11,17,21 34:2,5,8 35:24 68:2 79:10 87:21**leaving** [2] 46:20 87:20**lebanon** [5] 1:6 31:12 36:18 41:17 68:2**left** [7] 34:6 68:4,5,7 90:13 96:19,21**legal** [1] 1:23**legally** [1] 98:22**less** [5] 42:15 84:1 93:3,6,9**letter** [10] 8:22 46:7,11 49:18 67:1,2 68:19 82:18,19 94:24**letters** [5] 7:13,14,14 25:21 27:3**level** [1] 90:2**library** [4] 25:25 26:14,15 27:21**limited** [1] 83:23**line** [14] 15:1,3,7,10,11 25:15 29:6,10,14,18 34:24 42:17 45:17 89:1**lion's** [2] 31:11,22**lions** [4] 34:14 35:7 36:13,14**list** [5] 4:6,9,11 47:25 88:16**listing** [1] 48:1**litigate** [1] 64:3**litigating** [1] 64:2**little** [11] 4:22 5:22 7:18 13:20 14:20 35:23 51:14 68:9 90:19 91:20
100:9**lived** [1] 31:17**living** [2] 9:11 32:1**livingston** [3] 48:7 57:3 67:16**livingston's** [1] 57:5**location** [1] 9:19**locked** [2] 45:18 77:19**log** [1] 43:7**lola** [6] 46:19 75:12,19,20 77:18 87:1**long** [6] 35:2,6,9,21 36:8 80:6**longer** [2] 29:13,17**look** [3] 32:13 37:8 98:13**looked** [3] 43:2 62:5,7**looking** [4] 32:23 35:16 50:6 51:16**loretto** [1] 36:9**lorretto** [2] 36:3,5**lot** [2] 20:22 32:1**loud** [1] 98:16**lunch** [1] 90:20**M****ma'am** [1] 99:17**mad** [1] 98:16

DEPOSITION OF SAMMI WRIGHT

made [28] 5:14 17:5 41:22 42:8,9,10,19,21 44:18 46:2,4 54:18 55:9
 59:9 60:2,18 64:1 77:8,10,11 79:12,18 80:20 81:1 82:22 83:3,8 85:8
major [1] 48:19
male [1] 76:23
man [1] 88:24
management [1] 39:24
many [15] 9:6,10,13,15,24,25 10:8 12:18 13:14 15:5 26:19 32:12 45:
 19 51:9 71:2
march [22] 8:18,25 9:14 10:19,25 11:22,25 12:11,20 13:11,12 42:15
 44:10,12,18 48:15 54:5,6 55:4,6,16 82:18
markings [1] 77:8
mary [1] 2:11
master's [1] 30:4
materialized [1] 75:1
matter [5] 2:8,21 23:12 46:3 59:4
matters [1] 23:10
mean [28] 2:23 16:25 19:21 32:6 40:15 41:15 44:2,3 46:13 48:17 53:4,
 12 58:10,11 67:22 68:5,13,23 78:21 83:16 86:12,14 93:13 98:3 100:21,
 22,22,25
means [1] 73:22
meantime [1] 42:11
medical [2] 16:24 82:10
meet [2] 88:15 95:4
meeting [4] 5:23 64:6,9,10
meetings [1] 78:1
members [1] 27:4
memo [2] 50:14 65:15
memories [1] 81:15
mental [11] 31:1,2 33:10,19,22,24 34:1,3,9 35:3 72:9
mentioned [4] 45:6 94:13,23 97:20
merit [10] 38:4,6 57:21,23 58:7,21 66:6 69:6,7 84:14
message [2] 81:4,5
messages [6] 46:13,18,20 51:7 79:5 85:18
middle [1] 1:9
might [5] 14:6 32:17 39:2 51:15,18
military [3] 30:13,15 35:13
millings [1] 6:3
mind [2] 18:3 91:2
minimum [1] 92:22
minute [2] 81:24,25
minutes [3] 90:13,14 91:14
misconduct [1] 82:6
miserable [2] 81:16,17
misleading [1] 82:8
misrepresented [1] 94:24
miss [2] 70:24,24
mistreated [1] 90:7
mistreatment [3] 76:3 86:12 99:15
misunderstanding [3] 24:6,8 25:2

moment [1] 12:5
monitored [1] 88:5
month [11] 10:22 11:3,9,17 38:7 42:16 54:1 55:15 64:10 68:3 94:16
monthly [4] 77:2,10,12 85:23
months [9] 13:11,15 16:2,4,6 36:11 55:18 69:23 84:23
morning [2] 1:1 51:10
most [6] 18:23 25:11 26:19,20,21 31:20
mostly [2] 28:6 30:10
mount [3] 36:3,5,8
move [1] 34:11
moved [2] 33:13 75:3
mpc [1] 79:11
ms [14] 3:2,13 8:16 14:24 40:25 57:21 75:9,13,17 82:3,4,14 85:13 92:
 11
mspb [1] 92:13
much [4] 14:13 92:19 93:2 95:15
myself [4] 5:18 15:25 81:19 87:15

N

name [9] 1:4 2:6 28:18 39:15,17 43:23 46:19 53:17 75:18
named [3] 52:7,13 53:6
nasty [1] 89:13
naturally [1] 13:24
nature [3] 45:4,6 59:12
necessarily [1] 9:23
necessary [1] 56:20
need [4] 8:5 20:2 40:24 60:14
needed [1] 31:24
needs [1] 93:25
negative [4] 68:10,14 71:13,15
never [14] 7:5 16:18 27:18 28:8 36:21,22 72:25 73:10 74:4,4,6 82:13,
 24 83:5
new [13] 28:12 30:19 31:2,8,10 33:9,19,24 34:1,3,9,15 35:3
next [4] 10:14 41:18 50:21 65:14
night [1] 69:14
nine [1] 69:23
noon [1] 90:24
normal [1] 78:14
normally [1] 8:3
note [1] 25:19
notes [6] 5:12 6:18 17:2,5,9 78:22
nothing [1] 37:3
notice [13] 50:3 52:2 59:2 62:23,25 63:2 64:18,22,24 65:5 66:12 69:
 10,11
notification [1] 84:18
notified [2] 41:7 62:20
november [4] 65:2,18 67:19,25
number [8] 2:4,15 3:6 25:17 46:4 77:11,17 96:5
numerous [3] 26:1,16 51:7

DEPOSITION OF SAMMI WRIGHT

nursing [2] 82:23,25**O****object** [3] 3:23 4:17 20:21**objected** [1] 101:9**objection** [14] 3:24 11:4,10,11,18 12:3,21 14:2,19,22 17:24 18:8 32:21 100:20**obligation** [17] 18:25 19:11,13,15,22 20:11,18 21:1,10,13 22:15,19,23 23:6,13,20,21**observed** [1] 97:1**obviously** [1] 101:1**occasion** [7] 16:14 27:4 28:1 78:5 80:8 81:1 88:13**occasions** [2] 26:1 80:19**occurred** [10] 5:1 8:25 25:13 38:20,25 52:1,2 65:14 98:20,23**october** [10] 14:11 49:3,13 50:3 62:23,24 64:18,20 65:1,12**office** [11] 25:9 27:15 28:3,10 31:7 45:9,12 77:18,19 86:24 98:16**officials** [1] 76:5**okay** [99] 3:12 4:3,14 5:10 7:9,20,23,24 8:5,11,14,15,16 9:24 10:7,25

12:18 13:9 14:12 15:5,19,22 16:1 17:7 18:10 25:12,24 26:24 27:6 28:

20 29:23 31:13 33:11,15,21 34:5,8,13,19 35:24 37:8 46:17 47:14 48:6,9,

14 49:7 50:2,6,7,8,13,17 51:12 53:1,3 54:7,16 55:5,25 56:13 57:5,12 58:

18,24 60:3,16,25 63:10 64:13 65:8,14 66:7,21 67:15,18 70:14 72:15 73:

16 74:18,24 75:3 78:19 79:22 81:7 90:12,22 91:10,12,21 93:10,15,23

94:6,9 99:17 100:6,15 101:9

older [1] 66:25**ombudsman** [1] 39:2**once** [5] 10:22 11:3,9,16 80:25**one** [28] 6:1,7 10:2,14,15 12:7 13:3,5,7 15:2,8 16:14,20 17:9 27:25 33:

16 43:19 45:9 55:17 69:4 78:5,7 86:24 87:14 96:7,20 97:9 100:15

only [9] 15:23 16:5 25:14 27:22 40:9 45:20 60:21 72:20 84:19**open** [3] 45:11 88:11 98:18**operation** [1] 92:1**operations** [1] 92:8**operator** [10] 1:1,17,22 2:2 79:17 86:18 91:25 92:6 97:16 100:11**operators** [3] 79:18,20,21**opportunity** [2] 78:4,8**opposed** [1] 59:19**opposing** [1] 47:10**orally** [1] 3:18**orbit** [1] 24:17**orders** [2] 76:15,20**original** [1] 98:9**other** [43] 5:12 6:4,9 14:5,16 15:8 22:20 25:9,18 26:3,14 27:5,16,20,

22 28:9 30:6 32:15 45:16 47:3,6 51:15 64:1,2 67:10 68:11 73:23 74:1,

18 76:15 77:2,25 85:24 86:7,16,21 89:7 94:14 96:15,16 97:9,16 100:17

otherwise [1] 23:3**out** [20] 13:1 14:6 37:22 44:13 46:24 58:15 69:22 71:22,24 73:18,24 75:

22 78:6,22,24 79:7,25 85:25 87:15 97:8

outcome [1] 66:7**outside** [1] 24:12**outstanding** [1] 6:12**over** [12] 3:10 7:2 13:22 21:22 31:5 35:23 45:17 62:5,7 74:7 79:8 88:20**overdose** [1] 20:15**own** [1] 66:4**P****p.m** [5] 91:5,7,14 92:8 100:12**pa** [3] 1:6 2:10,15**page** [3] 47:13 61:21 70:18**paggers** [1] 61:22**pages** [1] 98:13**painful** [2] 81:10,13**paper** [1] 66:24**paragraph** [11] 18:4 70:19 75:3,20 82:2 83:9 84:16 85:9 86:2 95:17,17**park** [1] 1:6**part** [21] 17:11 22:11,17 38:24 43:3 52:19,21 61:21 69:5 70:2,4 72:20

73:1,3 92:20,24,24 98:1,1,5,8

participated [1] 82:5**particular** [2] 84:21 86:24**parties** [1] 52:6**parties'** [1] 52:13**patient** [2] 58:1,2**pay** [10] 8:20 33:20 51:12 65:20,21 70:3 84:17,20 85:2 99:7**payday** [1] 85:2**pending** [1] 69:4**pennsylvania** [2] 1:10 31:16**people** [17] 39:2 40:17 41:2 46:22 51:9 53:5 55:19 79:1,7,23 80:1 81:

16,21 86:21 88:25 89:7 96:9

per [3] 11:16 73:15 93:2**perform** [2] 81:23 83:24**performance** [7] 28:22 29:13,17 34:25 68:10,14 94:3**perhaps** [4] 10:3,10 35:22 87:20**period** [15] 8:17,20,24 10:19,25 11:17,22 12:8,8,11,19 13:10 38:21 70:1 93:24**periods** [1] 13:24**permission** [1] 27:20**permit** [1] 45:3**person** [24] 15:25 39:13 43:18,19,20 44:23 45:20 72:5 73:8,18 75:21

76:17,22 85:3 86:1,14,25 88:23 89:1,5,23,24 97:10,12

person's [1] 39:15**personal** [13] 9:6,11,13,15 10:8,20 11:2 32:23 42:24 72:21 80:3,20 82:25**personally** [1] 80:11**personnel** [1] 98:7**persons** [2] 43:20 86:5**pertain** [1] 21:14

DEPOSITION OF SAMMI WRIGHT

pertaining [7] 22:21 23:1,4 26:3,6 60:15 66:19
pertinent [1] 20:23
philadelphia [2] 38:1 56:8
phone [2] 2:4,15
physically [1] 68:7
picked [1] 79:2
pit [1] 94:2
place [7] 13:18 14:1 27:22 52:18 55:14 64:10 75:5
placed [2] 75:8 84:1
places [1] 97:18
plaintiff [5] 2:7 70:20 73:17 75:22 82:9
plan [1] 52:20
pleadings [1] 100:18
pleasant [1] 81:18
please [13] 2:3 20:10,25 29:1 40:16 41:5 43:16 82:12 85:14 91:22 92:4,7 94:19
poconos [1] 31:18
point [8] 14:25 30:23 39:1 44:1 56:3 63:8 84:7 87:14
pointed [1] 97:8
policies [3] 23:13,16 60:14
policy [2] 59:15,24
population [1] 10:16
portland [3] 30:5,25 33:4
position [13] 33:18,20 34:6,11,12 35:25 36:3 41:3 68:19 69:8 70:2 82:10 92:20
positions [1] 40:18
possible [2] 13:20 59:2
post [2] 16:23,25
poster [6] 45:10 77:22 88:5,8,9 98:17
posters [3] 45:17 77:16,21
powers [1] 32:9
pr [1] 1:7
precedence [1] 58:16
preceding [1] 13:11
premise [1] 24:4
prepare [1] 90:19
presented [5] 6:1 42:25 43:1 48:25 62:4
pretty [1] 95:15
previous [2] 8:19 85:15
prior [7] 3:13 30:18 31:12 38:22,25 58:17 77:21
privacy [1] 77:22
private [1] 30:19
probably [1] 90:13
probation [1] 31:8
problem [3] 6:11 28:8 58:1
problems [2] 36:7 89:7
procedurally [2] 51:16 60:19
procedure [2] 38:13 59:17
procedures [5] 19:14 86:7 93:17,19 96:25

proceeding [2] 1:23 92:13
process [9] 32:12 37:20 44:4,4 45:24 56:11 57:17 59:20 93:21
processed [1] 44:15
processing [1] 25:20
produce [2] 8:10 20:23
product [3] 25:15 42:17 45:17
productive [1] 70:21
professional [2] 80:14,17
program [3] 25:8 75:4,5
progressed [2] 37:24 44:15
progressive [2] 75:25 98:6
proper [2] 70:12 93:17
proposal [1] 50:18
proposed [15] 49:14,16,18,19,21,23 50:1,6,12,15 51:2 52:3 61:5 68:15,17
protection [4] 38:5,6 57:21,24
prove [1] 61:12
provide [10] 2:3 6:8 7:5 32:9 48:8,13 84:2 86:13 94:19,20
provided [6] 5:17 7:16 47:9,9 84:9,10
providing [2] 82:7 83:22
public [1] 41:24
pull [1] 48:20
punishment [1] 59:12
purposes [1] 53:22
put [5] 3:24 25:19 73:21 87:21 98:6
putting [1] 77:22

Q

quality [1] 30:24
question [26] 3:19,21 4:2 11:12,14,19 12:13,22 15:18 21:5,7,8 24:5 29:2,4 32:2 38:10 41:4,4,6 43:8 44:16 45:2 51:13 89:20 99:3
questions [18] 1:25 3:7,9,17,24 8:10 28:15 32:10,13 34:17 37:2,5 38:23 47:1 70:25 86:22 90:16 92:12
quickly [1] 70:15
quote [1] 49:25

R

r-a-t-k-o-f-f [1] 28:19
race [11] 76:4,4,4,6,21 90:8 95:25 96:12 99:5,8,13
racial [1] 86:11
racist [1] 86:9
rank [1] 85:11
rate [1] 83:11
ratified [1] 82:5
ratkoff [1] 28:13
ray [7] 1:13 53:10 60:6,7 65:16 73:13,14
re-educate [1] 60:14
re-swear [1] 2:19
reaction [2] 2:18 24:16
read [1] 70:20

DEPOSITION OF SAMMI WRIGHT

really [2] 73:14 82:13
reason [4] 14:3 60:21 61:10,14
recall [8] 3:13,16 11:6 12:23 15:2 59:15 98:21 100:2
receive [2] 50:4 58:15
received [18] 5:9 41:8 42:14 50:2,14 55:3 59:2,5 62:22 63:2 64:17, 21,23 65:4,15 68:13,15,18
receiving [1] 39:23
recollect [2] 66:16 71:14
recollection [8] 34:22 37:6 39:25 48:21 51:25 62:1,3 98:22
recommend [1] 62:15
recommendation [1] 57:16
recommendations [1] 19:25
record [10] 2:5,25 3:25 14:2 15:9 20:4 66:13,20 75:25 100:16
recorder [1] 92:5
recording [1] 26:7
records [2] 16:24 17:6
reduced [2] 65:9 67:1
reference [5] 52:23 54:19 67:12 95:17 100:20
referring [2] 54:8 96:17
reflected [1] 47:15
refresh [1] 98:22
refused [7] 71:21 72:1,3 73:24 77:24 88:11 95:4
refusing [1] 21:4
regard [3] 3:4 20:17 66:8
regarding [10] 46:20,22 51:10 83:19 84:8 85:19 88:12,14 95:12 97: 23
regardless [1] 22:16
regulations [8] 19:19,25 20:7 21:2 22:1,10,17 23:9
reinstate [1] 70:9
reinstated [4] 69:7 70:5 92:15 93:16
reinstatement [1] 92:14
relate [1] 20:1
related [7] 21:2 22:3 23:8,10 24:15 37:13 100:17
relates [1] 23:22
relating [3] 21:16,25 23:14
relations [1] 41:24
relationship [1] 72:16
relayed [1] 74:16
relevance [1] 32:4
relevant [1] 32:17
relocated [1] 31:16
remember [11] 32:10 35:1 38:8,19 41:13 42:6 53:24 54:1 59:24 64: 5,12
removal [3] 5:9 68:16,19
remove [1] 66:18
removed [4] 66:13,23 67:2,3
repeat [2] 30:14 89:19
rephrase [1] 3:20
replace [1] 28:13

report [5] 22:8 86:5,16 87:1 96:8
reported [1] 86:18
reporting [9] 23:11,15 51:8 86:6,14 87:5 95:22 96:1 97:14
reports [7] 26:1,2,3,5,13 27:1 82:15
reprimand [9] 46:12 67:1,3 77:13 95:12 97:20,21,23 98:9
reprimanded [3] 46:8 97:7,11
request [1] 31:19
requested [1] 6:18
required [4] 19:5 96:8,24 97:4
requirement [1] 96:11
requirements [3] 95:22 96:2 97:2
researcher [2] 31:10 35:20
residential [1] 75:4
resign [1] 76:1
resolution [3] 42:18 43:9,10
resolved [1] 73:16
resource [1] 60:13
resources [1] 60:9
respect [2] 20:12 80:16
respond [16] 11:5,11,13,19,20 12:22 13:25,25 18:1 20:21,25 25:4 50:23 61:7,8,21
responded [3] 21:6 28:16 50:24
response [4] 54:11 62:9 82:19,22
responsibilities [3] 17:12 83:2 85:12
responsibility [1] 22:12
responsible [4] 9:7 10:21 11:3 12:6
restored [4] 8:21 43:12,14 84:20
restrictions [1] 83:25
result [1] 92:16
resulted [1] 92:14
retained [4] 53:19,21 54:12 63:19
retaliated [4] 83:10 84:4,12 99:20
retire [1] 15:3
return [2] 65:22 79:10
returned [2] 66:1 69:21
review [1] 18:1
reviewed [1] 34:17
revisit [1] 3:5
revisiting [1] 14:16
rights [6] 53:15,23 54:13 63:6,20 64:14
rodriguez [2] 1:5 2:18
role [3] 23:2,22 83:21
roughly [1] 69:23
rule [3] 23:5 59:6 60:21
rules [17] 19:14,25 20:6 21:2,13,20 22:1,9,17,20,21 23:5,8,14,17 24: 13 32:8
runs [1] 14:6

S

DEPOSITION OF SAMMI WRIGHT

sales [1] 93:11
same [10] 23:12 38:21 40:2 45:16 47:13 56:7,7 90:1,2 96:24
sammi [34] 1:11,15,17 2:8 3:7 7:25 15:17 20:24 28:25,25 30:22 34:19 37:4,20 44:21 45:1 48:11,18 51:12 52:9,12 53:5,11,20 54:16 56:2 57:24 70:21 80:9 82:2 86:2 87:24 92:10 100:12
sammy [1] 56:1
saying [7] 11:20 13:4 18:3,5 46:7 96:13 98:16
says [7] 24:21 33:23 82:6 83:9 84:16 86:3 98:15
schedule [1] 95:24
scott [11] 1:13 44:24 46:19 53:7,9 73:8 75:11,12 78:6 87:2 98:15
scott's [1] 77:18
scrutinized [1] 85:17
scrutiny [2] 78:21 80:18
se [1] 73:15
second [2] 41:4 89:1
secondly [1] 7:10
secretary [4] 77:20 80:25 81:4 88:17
secretary's [1] 77:17
secretive [1] 42:3
secure [1] 36:6
see [11] 6:13 10:18 16:8,16 47:23 48:10 79:8 80:6 93:3 94:2 98:14
seeing [1] 77:1
senator [14] 8:22 40:3,6,7 42:12,13 46:10 76:13 82:8,19,22 83:14 84:19 94:25
send [1] 6:3
sense [2] 72:17 80:10
sent [4] 8:22 55:22,23 83:13
september [12] 1:4 37:11 49:4,15 51:4,24 63:1,14 64:13 65:11 69:20,20
service [6] 15:1,3,7,10,11 83:4
services [5] 31:9 35:19 83:4 84:2,9
set [1] 58:22
setting [1] 31:4
settlement [4] 66:9 67:7 70:4 92:16
several [2] 61:22 77:9
sex [1] 76:21
she's [10] 24:3,11,11 25:3,4,5 30:23 34:18 73:8 89:24
sheet [1] 47:8
shortly [1] 42:14
show [3] 61:9 77:8 95:8
showed [2] 62:12 94:14
showing [1] 61:23
shreve [22] 1:13 44:24 45:5,8 46:7 53:7,9 62:10 73:9,9 75:10 78:6 88:3,4,7,11,19,20 91:4,9 98:15 100:7
side [1] 32:15
sign [2] 61:23 67:4
signed [2] 61:24 95:10
signing [3] 79:6,7 85:19
similar [3] 77:5,7 85:12

simply [1] 44:14
since [5] 29:18,25 63:23 75:21 89:6
singled [2] 75:22 85:25
sit [1] 51:24
sitting [1] 34:21
situation [2] 10:4 82:10
six [3] 30:17,17 36:11
slip [1] 56:8
slow [1] 56:12
social [37] 15:2,6,23 19:14,20 20:1,7 21:3,13,16,19 22:1,4,11,12,18,20 23:2,5,9 26:17 28:2,8,9,12 30:5,7 70:23 72:22 76:15 77:25 78:3,7 83:21 85:24 94:15 97:9
someone [1] 42:7
sometime [1] 43:15
sometimes [1] 93:3
somewhere [2] 69:14 70:17
sorry [15] 6:16 18:7,8 36:4 38:3 40:21 41:21 45:23 52:8 72:2 77:14 82:21 89:2,3 91:16
sort [5] 4:24 38:14 51:14 87:11 90:23
sounds [2] 3:12 91:11
source [1] 60:20
special [2] 31:9 35:19
specific [1] 5:22
specifically [3] 21:25 97:3 100:2
specter [16] 7:15 8:22 38:18 40:4,6,8 42:12,13,22 46:10 76:13 82:9,23 83:14 84:19 94:25
specter's [1] 82:19
speculate [1] 3:22
spell [2] 28:17 39:17
spelled [1] 82:3
sponsors [1] 80:4
spring [3] 63:25 71:2,12
spruce [1] 1:6
stamped [2] 100:21,21
stand [1] 94:3
start [2] 5:3 38:9
started [3] 5:4 32:11 37:22
starting [1] 37:20
state [1] 30:19
stated [4] 18:14,16 21:16 61:10
statement [2] 83:3,8
statements [1] 43:4
states [2] 1:9 71:10
stating [1] 20:3
steve [2] 41:9,14
stick [1] 33:2
still [6] 4:1 69:3,4 81:13,14,19
stop [2] 31:22 91:6
stories [1] 100:3

DEPOSITION OF SAMMI WRIGHT

street [2] 2:9,14
stressful [1] 81:22
stuff [5] 8:11 14:21 68:11 100:19,23
style [1] 39:24
submit [1] 76:11
subordinate [1] 75:17
substance [1] 47:1
substitute [1] 11:12
suggest [1] 48:11
suggestion [4] 87:19 90:15,19,25
superiors [1] 50:9
supervision [1] 75:9
supervisor [13] 16:10,16 18:11 20:14 21:15 22:7 23:19 27:24 28:1
 72:6,11,14 74:25
supervisor's [12] 19:1,3,6,12,16,23,24 20:5,19 21:15 22:15 23:18
supervisors [8] 16:8 17:21 18:12,21 21:11,24 22:25 80:18
supervisory [1] 53:13
supplement [1] 4:22
supplemented [1] 47:3
supplements [1] 47:6
support [1] 48:25
supports [1] 23:22
suppose [1] 60:24
supposed [9] 19:3 21:21 58:14 60:12 65:1 71:24 72:4 97:25 100:9
supposedly [1] 41:7
surveilled [1] 87:9
suspend [5] 50:18 59:22 60:3,22 91:23
suspended [6] 49:12,13 60:18 62:21 65:18 99:12
suspending [2] 91:25 100:13
suspension [31] 48:23,24 49:14,17,20,21,23 50:1,3,12,15 51:2 52:
 3 59:3,8 61:5,11 62:18,23,25 63:2 64:18,22,23,24 65:5,17,19 66:12,25
 67:22
suspensions [1] 61:15
swear [2] 1:18,24
swears [1] 1:21
swore [1] 2:18
system [9] 37:16 38:4,6 57:21,23 58:7 66:6 69:6,7
systems [1] 36:13
szabo [9] 1:13 53:10 73:2,4 82:3,4,14 94:23 95:9

T

tactics [2] 86:9,10
talked [2] 32:11 41:24
tape [3] 90:13 91:23 92:4
telephone [4] 46:13 56:24 79:19,21
tells [3] 20:15 22:7 23:19
ten [7] 9:12 10:10,11 12:7 13:1 90:14 93:8
term [1] 94:2
terminate [2] 76:2 93:22

terminated [2] 69:18,19
termination [5] 68:17,20 69:10,12 95:13
terms [16] 25:21 34:25 40:20 61:9 67:6 83:23 85:16,20,21,23 93:25
 95:5,7 97:5,14,17
terrible [1] 56:2
testified [5] 4:5 12:5 27:1 63:25 95:18
testimony [4] 8:19 81:12 95:21 96:10
that' [1] 91:2
that'll [1] 91:22
there's [4] 24:5 25:1 47:12 59:6
they'll [1] 78:17
thinks [1] 5:24
third [2] 86:5,14
thirteen [1] 9:9
though [3] 4:23 26:25 81:18
threat [2] 74:21,24
threats [1] 64:2
three [12] 9:17 10:16 12:2 13:2,5,16 43:4 47:5 55:17 61:1 76:9 84:23
throughout [1] 26:17
title [1] 41:10
today [5] 4:9,12 20:4 38:25 51:24
today's [1] 1:3
tomorrow [1] 14:7
took [6] 38:8 43:19,21 52:17 55:14 64:10
top [1] 73:8
tormented [1] 86:4
towards [1] 45:7
trained [1] 19:9
training [4] 28:11,15 77:25 85:22
transfer [2] 31:19,24
transferred [3] 31:15 73:11 87:22
transportation [3] 79:1 86:20 97:13
traveled [1] 79:24
treat [1] 90:1
treated [7] 66:11 75:22 77:4,6 85:10,13 95:19
treating [1] 90:4
trial [1] 32:18
tried [1] 87:21
truth [1] 1:24
try [8] 5:23 7:17 32:25 33:2 48:12 51:12,12 55:25
trying [7] 6:19 24:24,25 25:4 30:23 34:25 50:5
turn [1] 70:18
twelve [2] 9:8 90:14
twenty [4] 9:22 10:6 21:22 93:7
twenty-eight [1] 49:7
twice [1] 10:3
two [13] 10:16 12:1 15:23 16:6 31:3,6 35:5 43:3 55:17 73:23 80:19 88:
 25 89:7
type [8] 5:5 7:2 26:2,5 37:13 49:9 67:5 74:21

DEPOSITION OF SAMMI WRIGHT

types ^[1] 90:3**typical** ^[3] 9:16 10:1,9**typing** ^[1] 25:21**U****ultimate** ^[1] 99:19**um-hum** ^[9] 9:2 49:6 51:17 53:2 64:16 73:7 75:2 90:17 95:1**umm** ^[43] 3:24 5:4 6:13 7:10 10:7,10 25:22 36:25 37:19,23,24 38:10 39:20 42:8 43:10,15 44:17 45:22 46:12 51:3,9 57:25 59:5 60:14 61:7 66:12,17 68:8 69:3 73:21 76:13,14,20 83:3 84:11 89:8 92:12 93:15 94:13,22 98:20 99:1 100:17**uncomfortable** ^[1] 32:7**under** ^[6] 70:19 72:9,23 75:8 83:15 99:3**understand** ^[12] 1:22 3:19 8:19 14:19 21:17 24:2 25:2 26:25 38:11,22 40:11 44:16**understanding** ^[3] 24:23 66:2 96:23**unhappy** ^[1] 74:25**unit** ^[5] 4:8 45:21 84:24 87:16,23**united** ^[1] 1:9**university** ^[2] 30:5 31:1**unjust** ^[1] 75:23**unless** ^[1] 4:2**unlike** ^[1] 32:18**unluckily** ^[1] 40:10**unpleasant** ^[1] 33:1**unquote** ^[1] 49:25**until** ^[6] 71:1,12 73:11 76:12 85:2 97:11**up** ^[23] 5:6 14:17 17:4 25:16,21 37:1 41:10,14 44:21 49:22 53:8,8 56:1 65:25 67:10 71:12 73:21 77:22 79:2 91:8 97:15,16 98:3**using** ^[2] 76:16 97:10**V****va** ^[13] 25:10 27:16 31:11,12,14,22,23,25 41:18 56:25 68:2 92:15,21**valley** ^[1] 68:2**verbally** ^[1] 9:4**veteran** ^[4] 13:3,6,7 16:17**veteran's** ^[10] 24:13 30:8 37:14 39:3,5,7,11 44:5 70:23 71:3**veterans** ^[22] 9:10 10:6 12:7,9,15,16,18 13:2,14 16:9,22 22:22 26:12 39:23 43:4 77:1 83:13,20,22 84:2,8 94:16**veterans'** ^[1] 16:23**victims** ^[1] 86:11**video** ^[14] 1:1,3,7,8,17,22 2:2 90:13 91:25 92:1,6,7 100:11,14**violate** ^[1] 22:9**violation** ^[1] 22:4**visit** ^[18] 9:7,16,21,25 10:9,12,20 11:1,9,16 12:10,15,19 13:15 71:23,24 73:24 97:8**visited** ^[5] 10:3 11:6 12:2 16:22 17:14**visiting** ^[2] 12:6 16:11**visits** ^[9] 9:11 10:16 16:24 17:3,8 76:17 77:9 85:23 94:15**voice** ^[3] 17:4 44:21 55:25**vs** ^[1] 1:12**W****w-r** ^[1] 1:15**wages** ^[1] 92:22**walnut** ^[1] 2:14**wanted** ^[5] 36:1 41:23 62:6 87:16,19**washington** ^[1] 41:16**waste** ^[1] 14:13**watch** ^[1] 86:25**watched** ^[1] 85:17**watching** ^[3] 86:5,14 87:4**way** ^[5] 19:9 70:12 81:21 89:17,18**week** ^[8] 9:22 10:1,4,9,17 63:7 93:8,13**weekly** ^[1] 93:2**weeks** ^[2] 46:3 76:9**whatever** ^[13] 4:19 39:2 43:5 51:21 54:15 58:4,7 62:6,8 73:22 90:25 93:25 95:13**whenever** ^[1] 17:14**whereabouts** ^[1] 22:8**wherever** ^[1] 26:15**whether** ^[9] 4:18 17:20 18:17 20:18 22:16 56:3 57:15 80:5 99:18**white** ^[8] 76:23 85:11 90:1,5 95:18 96:18 97:4,12**who's** ^[1] 74:25**whole** ^[1] 52:17**whom** ^[1] 12:9**will** ^[11] 2:2 3:20,24 7:22 8:6 10:14 24:18,19 41:1 73:17 91:18**windows** ^[1] 77:21**wish** ^[1] 4:21**withdraw** ^[1] 18:8**withdrawn** ^[1] 12:3**within** ^[4] 54:24 59:4 76:9 84:23**without** ^[3] 65:20,21 84:17**witness** ^[2] 25:5 32:7**word** ^[1] 25:20**words** ^[2] 47:3 87:18**work** ^[39] 17:22 19:14,20 20:1,7 21:3,14,16 22:2,4,11,12,18,20 23:5,9 28:22 29:5,9,13,17 30:5,7 35:2,6,9,18 36:1,8 38:14 65:23 67:19 68:23 69:21,22 72:4 78:8 80:3 85:17**worked** ^[25] 15:7 29:14,18 30:12,18,19 31:1,2,3,5,5,7,7,8,10,11 33:9 35:13,19 36:10 70:21 71:3 78:14 82:24,25**worker** ^[6] 23:2 28:12 70:24 71:25 72:3 83:21**worker's** ^[3] 28:2,9 71:25**workers** ^[17] 15:2,6,24 21:19 26:17 28:8 72:22 73:23 76:15 77:2,25 78:3,7 85:25 86:21 94:15 97:9**working** ^[10] 4:7 14:25 18:13,22 30:8 31:22 81:17 82:23 87:2 92:21**workload** ^[1] 85:21**worse** ^[1] 56:15**would've** ^[4] 25:13 34:17 88:23 89:5

DEPOSITION OF SAMMI WRIGHT

wright [20] 1:12,15,17,18 2:1,8,24 3:2,13,15 8:16 14:24 40:25 70:21,
24 85:13 92:10,11,18 100:12

write [2] 84:19 88:16

written [2] 27:4 98:3

wrote [2] 82:18 83:18

Y

year [11] 15:20 33:3 35:4,8,22 38:7 43:16 44:11,12 55:15 71:2

years [12] 21:22 30:17,18 31:3,6 35:5,11 71:3,5,6,7,8

ymca [1] 34:7

york [12] 30:19 31:2,8,10 33:9,19,24 34:1,3,9,15 35:3

young [2] 41:9,14

younger [1] 38:24

yourself [2] 8:5 83:13

yourselves [1] 2:3

yup [1] 8:16